

PROCEEDINGS

CORRIGENDA.

United Provinces Legislative Council Proceedings.

Volume XXIV.

1. At page 187 in the answer to the supplementary question put by Mr. H. David with reference to starred question No. 25, *for* the word "compressible" in the last line *read* "incompressible."

2. At page 488 in the answer to the first supplementary question put by Pandit Nanak Chand with regard to starred question No. 28, *for* the words "Public Works department" in the last line *read* "Architect."

3. At page 488 in the second supplementary question put by Pandit Nanak Chand with regard to starred question No. 28, *for* the word "speculation" in the first line *read* "stipulation."

W. K. PORTER,

Secretary, Legislative Council,

United Provinces.

PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL
OF THE
UNITED PROVINCES
OFFICIAL REPORT

VOLUME XXIV.

FROM 23RD MARCH, TO 3RD APRIL, 1925.



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LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

Monday, 23rd March, 1925.

THE Council met in the Council Chamber, Lucknow, at 11 a.m. The Hon'ble the President in the Chair.

PRESENT:

The Hon'ble Mr. S. P. O'Donnell.
The Hon'ble Raja Sir Muhammad Ali
Muhammad Khan, Khan Bahadur.
The Hon'ble Lieut. Nawab Muhammad
Ahmad Sa'id Khan.
The Hon'ble Raj Rajeshwar Bali.
Mr. G. B. Lambert.
Mr. E. A. E. Blunt.
Kunwar Jagdish Prasad.
Mr. G. B. F. Muir.
Mr. A. C. Verrières.
Mr. C. E. D. Peters.
Mr. J. R. W. Bennett.
Mr. S. H. Fremantle.
Mr. R. Burn.
Mr. B. J. K. Hallows.
Mr. C. M. King.
Lieut.-Col. J. E. Clements.
Mr. A. D. Ashdown.
Colonel A. W. R. Cochrane.
Mr. A. H. Mackenzie.
Mr. G. Clarke.
Raja Muhammad E'jaz Rasul Khan.
Raja Bahadur Brij Narayan Rai.
Mr. H. David.
Babu Khem Chand.
Babu Mohan Lal Saksena.
Babu Damodar Das.
Babu Bhagwati Sabai Bedar.
Thakur Manjit Singh Rathor.
2nd-Lieut. Chaudhri Balwant Singh.
Rai Jagdish Prasad Sahib.
Chaudhri Jaswant Singh.
Chaudhri Sheoraj Singh.
Pandit Nanak Chand.
Lala Babu Lal.
Thakur Shib Narayan Singh.
Rai Bahadur Babu Ram Nath Bhargava.
Rai Amba Prasad Sahib.
Rai Bahadur Pandit Kharagjit Misra.
Lala Dhakan Lal.
Babu Nemi Saran.
Chaudhri Badan Singh.
Thakur Sadho Singh.

Pandit Brijnandan Prasad Misra.
Thakur Har Prasad Singh.
Lieut. Raja Durga Narayan Singh.
Lieut. Raja Bahadur Hukm Tej Pratap
Singh.
Pandit Sri Krishna Dutt Paliwal.
Babu Parsidh Narayan Anad.
Pandit Yajna Narayan Upadhyaya.
Babu Dip Narayan Roy.
Rai Bahadur Thakur Hanuman Singh.
Bhaya Hanumat Prasad Singh.
Pandit Baijnath Misra.
Pandit Govind Ballabh Pant.
Pandit Hargovind Pant.
Mr. Mukandi Lal.
Babu Ram Chandra Sinha.
Dr. Jaikaran Nath Misra.
Kunwar Rajendra Singh.
Rai Bahadur Thakur Mashal Singh.
Thakur Hukum Singh.
Kunwar Surendra Pratap Sahi.
Mr. Muhammad Zahur Ahmad.
Dr. Muhammad Naim Ansari.
Mr. Muhammad Aslam Saifi.
Maulvi Zahur-ud-din.
Rao Abdul Hamid Khan.
Khan Bahadur Chaudhri Amir Hasan Khan.
Maulvi Muhammad Obaid-ur-Rahman Khan.
Dr. Zia-ud-din Ahmad.
Hafiz Hidayat Husain.
Khan Bahadur Shaikh Masud-uz-Zaman.
Nawab Muhammad Yusuf.
Saiyid Muhammad Ashiq Husain.
Khan Bahadur Maulvi Fasih-ud-din.
Mr. Asbiq Husain Misra.
Khan Bahadur Munshi Siddiq Ahmad.
Raja Saiyid Ahmad Ali Khan Alvi.
Khan Bahadur Chaudhri Muhammad
Rashid-ud-din Ashraf.
Mr. St. George H. S. Jackson.
Lala Mathura Prasad Mehrotra.
Lieut. Raja Shaikh Imtiaz Rasul Khan.
Raja Jagannath Bakhsh Singh.
Dr. Ganesh Prasad.

MEMBER SWORN.

Lieut.-Col. J. E. Clements.

ANNOUNCEMENT AS TO RE-ALLOTMENT OF BUSINESS.

The Hon'ble the President: I have to announce to the Council that His Excellency has made a further allotment of time for the excise demand, which was not taken up on the previous occasion. It will be taken on the 26th.

QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

JAIL INDUSTRIES.

* 1. **Pandit Yajna Narayan Upadhyā:** Will the Government lay on the table a detailed statement of the amount spent in organizing the various industries in jails in 1924? Will the Government further state which industries have become profitable and which are working at a loss?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: No expenditure was incurred in 1924 in organizing jail industries.

No jail industries are working at a loss.

Lala Mathura Prasad Mehrotra: With reference to question No. 1 I want to know whether they are supervised by deputy jailors or jailors, or by skilled men?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: In some cases they are supervised by jailors and deputy jailors.

* 2. **Pandit Yajna Narayan Upadhyā:** Will the Government be pleased to state how many new industries have been started in 1924 in Benares central and district jails and what is the profit and loss during the year?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: No new industries were introduced in the Benares jails during 1924. The profits earned were as follows:—

	Rs.
Benares Central Prison	13,853
„ District Jail	32,93

UNSTARRED QUESTION.

RELIGIOUS BOOKS FOR PRISONERS.

1. **Pandit Yajna Narayan Upadhyā:** What amount was spent in the year 1924 for the supply of religious and elementary books to prisoners in these provinces?

Mr. J. R. W. Bennett: Nil.

THE BUDGET, 1925-26.**DISCUSSION OF DEMANDS FOR GRANTS.****Demand No. 14.****HEAD 33—PUBLIC HEALTH.**

The Hon'ble Rai Rajeshwar Bali: I rise to communicate to the Council the recommendation of His Excellency the Governor that a sum of Rs. 12,89,967 be supplied for demand No. 14 under the head 33—Public Health, and I move that the said sum be voted. In addition to this there is a sum of Rs. 2,06,683 non-voted, making a total of Rs. 14,96,650.

I would not attempt to anticipate the discussion on various items, but would briefly refer to some of the main activities of the department during the year. The chief function of the Public Health department is to devise means and adopt measures for the prevention of epidemics like plague, cholera and malaria and of infectious diseases like phthisis, leprosy, etc. To attain this purpose three things are needed. First of all there should be well-considered schemes for the improvement of general sanitary conditions and for the prevention of every one of these epidemics. Secondly, there should be a well organized agency to carry out these schemes; and thirdly a widespread propaganda to educate the people in accepting those schemes and adopting measures arising out of them.

Now, to take up the first one first, there are in these provinces four chief epidemics, plague, cholera, malaria and small-pox. We know how to prevent small-pox, in fact our large vaccination staff has more than justified its existence by bringing down small-pox death-rate to a comparatively insignificant figure. I shall refer to malaria and cholera very soon, but there too our schemes do exist, though they may be very costly ones. But we do not feel our ground so surely with regard to plague. The only measures that we know of so far are inoculation and evacuation. Therefore the first thing that I did in this department during this year was to ask the Government of India to help us in further investigation into the cause, cure and prevention of this epidemic by appointing a sort of plague committee. The Government of India are still considering this proposal and they have advised us to appoint a special officer to receive training in Bombay in the method of the classification of rat fleas, etc., so that he may be available to do the preliminary work. Such an officer has had his training in Bombay and we hope to appoint him now on special duty in connection with plague research work.

Coming to malaria, it has been found that wherever a malarial survey was made and its recommendations given effect to, the result has been quite satisfactory. This year the survey of Bazpur tahsil in the Bhabar has been completed, thus finishing the whole of the Government Bhabar estates. We received reports of the survey of the Gadarpur tahsil also. I may also point out that report of such malarial surveys are already with us with regard to a number of other districts also, for instance, Moradabad, which is the most malarious district in these provinces. It may be surprising to hear that Moradabad is more malarious than any eastern district, but it is so. The largest number of deaths that are due

[The Hon'ble Rai Rajeshwar Bali.]

to malaria occur in the western districts, for in the eastern districts it is not so fatal. But the chief difficulty in fighting malaria has been that we have not been able to give effect to the recommendations of many of these malarial surveys owing to paucity of funds. Wherever effect was given to them the results have been very successful, for instance, as in the cases of Saharanpur, Nagina, and Kosi, which I pointed out last year. So what is really needed is the provision of more funds in order to carry out the recommendations of these surveys.

This year has been rather a very bad year as regards cholera, but still the effect of our measures was perceptible. The last great epidemic of cholera that occurred was in 1921 when more than a lakh of deaths were recorded. In spite of constant importation of infection into the eastern districts of our province from Champaran and Saran districts of Bihar and Orissa, where the epidemic was raging virulently, the death record of the whole province did not rise above 48,000, and this compares very favourably with the death record of the last epidemic of more than a lakh in 1921. In fact the average number of deaths in the years prior to 1921 comes to about 80,000 per annum. Thus there has been a substantial reduction in the mortality from cholera this year in spite of a very bad season. The credit for this chiefly goes to these officers who worked the district health schemes in a number of eastern districts. As soon as there were signs of infection into any area our medical officers of health immediately took steps to nip the infection in the bud. About 26,600 pounds of permanganate of potash was distributed. Besides, large sums of money were placed at the disposal of the district officers and the chairmen of local bodies to take other effective measures. Thus it will be evident to the Council that if we could extend the operation of the district health schemes to other districts of the province as well, at least this fell epidemic of cholera could be completely stamped out.

I come now to the agency employed for the prevention of epidemics. We are trying to persuade a large number of municipal boards to appoint medical officers of health, and some of them I am glad to say have already done so. As far as the rural areas are concerned, we consider that the best agency is that of the district health scheme. Last year it was provided in the two districts of Gorakhpur and Basti, and this year we added three more districts, namely, Azamgarh, Fyzabad and Gonda. In the coming year we intend to provide it to four more districts and provision for it has been made in the budget. If we are able to get more funds, we will certainly attempt to provide it in yet a larger number of districts in the province. We have received very good reports about the work of these district health organizations both from the local bodies and the Commissioners and the Collectors, and so far as the epidemic of cholera is concerned, the results are very encouraging indeed. I hope the House will agree to the extension of this scheme to four more districts, and if I come forward again for further extension I hope the House will vote the money in the supplementary estimates.

Some doubts were expressed about the success of this scheme, if I may be allowed to say, by the members of the Finance Committee, and in deference to their wishes I immediately appointed a committee to go into the whole matter. That committee has reported that we should let

the provision for this object stand in the budget, and that three of its members shall personally visit some of the districts where the scheme has been worked. I hope that they will be able to give their opinions by the end of the next month.

Dr. Ganesh Prasad : What is the personnel of that committee?

The Hon'ble Rai Rajeshwar Bali : I cannot give all the names off-hand, but I think that there were 4 or 5 members of this Council. Mr. Aslam Saifi was one of them; also Babu Dip Narain Roy, P. Jhanni Lal Panday and I think Dr. Ganesh Prasad himself.

Dr. Ganesh Prasad : I did not like to be there. Was any medical man also on the committee?

The Hon'ble Rai Rajeshwar Bali : The Director of Public Health was its chairman. Then, Sir, we tried to train medical officers of health and sanitary inspectors employed in municipal boards in anti-malarial measures under the Assistant Director of Public Health. Twenty-seven of these officers have so far received training in two batches. During the floods we deputed travelling dispensaries in affected areas. We mobilized disbanded travelling dispensaries also. We distributed Rs. 70,000 and about 320 pounds of permanganate of potash. The Director and the Assistant Director of Public Health were constantly on tour in these areas. I will not take the time of the House in recapitulating the various ways by which hygiene propaganda is conducted by the department. I will simply mention the model plans of villages and village houses drawn up by us which we distributed to all the district magistrates and the district boards. We are thinking of doing more work in this direction next year in the shape of leaflets which are being prepared, pointing out the value of the use of permanganate of potash in supplying pure water, the use of suction pits which can be very cheaply and easily constructed in villages, the reversion to the older styles of houses with open *dalans*, etc., and certain other matters about which we have come to certain conclusions.

Maulvi Muhammad Obaid-ur-Rahman Khan : I move that the demand of Rs. 2,420 in respect of the item regarding customs duty on imported stores at page 87 of the Detailed Estimates be reduced by Rs. 1,210.

If the honourable members will kindly look at page 87 of the Detailed Estimates they will find under "Supplies and Services" an item for "customs duty on imported stores." This item, as is shown in the budget, is just the double of what it was in the current year. The amount budgeted for 1924-25 was Rs. 1,210, and as is shown by the revised estimate the expenditure was also the same. This being the case one cannot find any reason for this increase. I therefore do not think that it would be reasonable to sanction this sum and move that this sum be reduced by Rs. 1,210.

Mr. E. A. H. Blunt : The customs duty depends, of course, on the amount of stores to be imported from abroad. Last year the amount of stores imported was, if I remember aright, about Rs. 18,000 worth. This year the imported stores to be purchased are Rs. 40,000 worth. That in itself accounts for an increase of customs duty. It also depends to a certain extent on the nature of the stores, as the customs duty

[Mr. E. A. H. Blunt.]

varies with different articles. This figure rests entirely on the needs and requirements for imported stores. It has nothing to do whatever with the revised estimate. The figure is only fixed year by year according to requirements.

Maulvi Muhammad Obaid-ur-Rahman Khan : I simply want to say one word. I want to know why these things are not mentioned in the budget so that one may understand the reasons for an increase on looking into the budget.

Mr. E. A. H. Blunt : The honourable member will find it if he looks for it.

Motion by leave withdrawn.

Pandit Yajna Narayan Upadhyaya : I beg to move that the demand of Rs. 1,25,000, in respect of the item regarding charges for municipal health and sanitary officers and trained sanitary inspectors at page 87 of the Detailed Estimates be reduced by Rs. 10,000.

My reason for moving this cut is to bring to the notice of the Government an anomaly in connection with the appointment of medical officers of health in the various municipalities and inspectors as well. The pay of medical officers of health is partly contributed by the municipality concerned and partly it is borne by the Government. It is not clear under whose control these officers are. These officers have to do something for the municipalities and they have also to prepare certain records of the Government relating to general health, but the anomaly in the case of these officers is so dominant that it is a source of much trouble to many municipalities. These officers do not consider themselves as servants of the board. They think that as the board makes a contribution to their pay, they have merely to do some work for that board. There are certain rules governing transfers of these officers and it is difficult to describe them. In the case of Judges and District Officers they are transferred under ordinary rules, but with these officers it so happens that whenever a board does not like to retain a particular officer, he is forced upon the board. It so happens that these officers are generally transferred whenever they express a desire for transfer. Specially I know the case of the Benares municipality where the board has been disgusted with its health officer for the last seven or eight years, but it is difficult for them to transfer that man. There is one more anomaly and it is this, that municipalities are compelled to have a certain class of health officers. Although a second class health officer can do the work quite well, the municipality is compelled by the Government to have a first class man. Such anomalies are very injurious to the interests of the municipal boards. I therefore submit that these anomalies should be done away with--the sooner, the better. Consequently I move this reduction.

Babu Damodar Das : I have to say the same thing, and so will not move my own motion but will speak to this motion. I ever looked upon these health officers as *Trisankus* of old belonging neither to the municipal board nor to the Government. They can, I think, defy both of them. They certainly do not belong to the municipal boards. I have talked to these officers and they say that as they are not the servants of the boards, why should they care so much about them.

and why should they care about public opinion. With these remarks I want to suggest that the Government should not appoint these officers but should make certain rules about the qualification of health officers. Those municipalities which agree to appoint officers who possess such qualifications should be given a certain amount of money and the health officers should be appointed by the municipal boards and not by the Government; they should be the servants of the boards wholly and solely. With these words I support the motion.

Rai Bahadur Thakur Hanuman Singh : There is a similar motion standing against my name, but instead of moving it I desire to speak to this motion of Pandit Yajna Narayan Upadhyaya. If we look into the Detailed Estimates we find that Rs. 9,94,860 have been provided for urban sanitation, while, on the other hand, only Rs. 1,85,810 have been provided for rural sanitation. Now I come to details. At page 87 Rs. 1,25,000 is provided for charges for municipal health and sanitary officers and trained sanitary inspectors. Then at page 90 there is a provision of Rs. 1,35,000 for grants for urban sanitation. Then I find that the Improvement Trusts are to get Rs. 50,000. The Improvement Trusts are also connected with urban areas, and any amount spent on them is meant for the improvement of the sanitation of the urban areas. Then comes the *Magh Mela* Rupees 57,000 is provided to be spent in connection with that *Mela*. That is also connected with urban areas. Then comes the item of Rs. 13,000 for water supply at the *Magh Mela* at page 91; that is also urban. Then comes the item of Rs. 1,00,000 for pilgrim centres. These centres are also in urban areas. Then comes Public Health establishment for which Rs. 5,24,860 have been provided. So much is being spent on urban sanitation, while the rural areas are so much neglected as only to get Rs. 1,85,860 for sanitation and other improvements in connection with the health of the rural population. Compare the area and population of the municipalities with the rural area and population and then you will find that the Government is making an invidious distinction between the people residing in urban areas and in rural areas. The rural area people are being neglected in respect of health and sanitation. It is said that the Government has taken in hand a certain scheme for the appointment of district medical officers of health and certain inspectors and so on, but this scheme is in force only in four districts. Four districts more are to be brought under it. If in this way small grants are made for the improvement of rural medical aid and sanitation, I think it will take too long a time to have such a scheme operating in the whole of the province. Whenever there is any epidemic disease, the lot of the people becomes pitiable. I think the Government should not treat the rural population as step-children. They should be given the same care and attention as the urban population. With these few remarks I want to know what the Government's programme in future is to be, and whether any satisfactory steps are to be taken for the improvement of medical aid and sanitation in rural areas.

Babu Mohan Lal Saksena : I rise to support the motion of my friend Pandit Yajna Narayan Upadhyaya, and in doing so I submit that the honourable members of this House who have had any experience of the working of municipalities where there are health officers must

[Babu Mohan Lal Saksena.]

have experienced the difficulties which have been enumerated by my friends Pandit Yajna Narayan Upadhyaya and Babu Damodar Das.

But for their information I may state that the Hon'ble Minister was pleased to tell me, of course in a private conversation, that the municipal boards are at liberty and have full power of dismissing these health officers if they so choose, and I hope the Hon'ble Minister will utilize this opportunity for making that announcement publicly so that the fears of these boards may be set at rest. What happens in practice is chairman after chairman has complained against the medical officer of health, but the Director of Public Health is giving certificate after certificate for his meritorious service. What happens is that he does not care a bit for the opinion of the members of the board or for the matter of that, for that of the chairman. In this connection, Sir, I want to bring to the notice of the House another rule which has been framed by the Local Government in regard to the appointment of sanitary inspectors and medical officers of health. In first class municipalities the rule is that for every 25,000 of population there should be one sanitary inspector and for every four sanitary inspectors there should be one chief sanitary inspector. I submit that that rule works great hardship on the municipalities which have not sufficient finances to support this staff. What happens is that the number of sweepers have to be reduced in order to make way for these sanitary inspectors. In Lucknow for instance, while we find that there is not sufficient work for eight sanitary inspectors, we find we do need arrangements for carting out the rubbish from the city, we do want an increase in the number of sweepers, but situated as we are financially we are not in a position to do that on account of that rule. I hope the Hon'ble Minister will take into consideration this fact and he may safely leave it to the discretion of the municipal boards, who, I deem, are sufficiently responsible and can judge for themselves the advantages of having sanitary inspectors and medical officers of health and decide how they should spend their money on this Public Health department. Another point in this connection I want to bring to the notice of the Hon'ble the Minister is that the chief object of the Public Health department in the big cities should be to provide for a cheaper and larger supply of pure milk. What has the department, or, for the matter of that, what have the medical officers of health in these big municipalities, where the average death-rate is increasing, done in this direction? Unless and until you arrange for a supply of pure cheap milk, I submit that the health of the city population cannot improve, because they have not left in them that resisting power which is necessary to fight the germs of disease that are in the air. The anti-tuberculosis league issues from time to time bulletins urging that everyone should have so much fat in his food on the average, but do they take into account the average income of the citizens, do they take into account whether they can afford to have so much fat or ghi or butter? Unless they take into account the economic condition of the people, unless they take into account their educational capacities, I think no amount of effort in this direction of improving the health by appointing a number of sanitary inspectors and medical officers of health will succeed; in the end it is bound to be a failure. I think I can substantiate this contention of mine by quoting figures for the last five years, or for the last ten years, that these health officers have been in office in these municipalities. The rate of mortality has been

increasing in spite of their efforts. With this view, Sir, I hope that the House will accept this cut of Rs. 10,000 because there is an extra provision of Rs. 10,000 this year for medical officers of health, and I think that unless these points are settled to the satisfaction of the members, they will not grant this extra sum demanded by the Hon'ble Minister.

Mr. Muhammad Aslam Saifi : I did not think I will be able to speak on some of the points which have been covered by my friend Rai Bahadur Thakur Hanuman Singh. The Hon'ble Minister in his opening speech told us the chief objects which have to be achieved through this organization, and if we really intend and mean to achieve those objects I must inform the Hon'ble Minister that the sum of Rs. 14,95,650, which is provided under this head of public health, is much too little to achieve those objects. We are told we ought to have a very highly organized agency in order to carry out these objects. I find that we do have an excellent agency for the purpose, and if I am permitted I may say that we have in Colonel Dunn a very highly qualified chief. But at the same time the total amount has been divided into three parts. The first part consists of the pay which amounts to nearly Rs. 5,24,860 and the next part consists of grants-in-aid for sanitary and urban areas which amounts to Rs. 5,58,410 and the remaining sum of Rs. 4,12,380 is sub-divided into schemes for increasing the number of dispensaries, etc.

The Hon'ble the President : I think the honourable member is anticipating his own motion at the end, No. 64.

Mr. Muhammad Aslam Saifi : No, Sir. I will only touch urban and sanitary areas and the amounts spent on these two areas. |

The Hon'ble the President : There is a formal motion regarding Rs. 1,25,000 for medical officers in municipalities.

Mr. Muhammad Aslam Saifi : This item has only reference to municipal areas, but I want to say by comparison that the amount which has been allotted for the urban areas is too much as compared with the amount allotted for the rural areas. As a matter of fact with regard to this question that has been touched upon by my three honourable friends on the Swarajist benches, that is, appointment of the medical officers and their transfers from one municipality to the other, I have not been able fully to appreciate their point of view. Supposing one municipality is dissatisfied with the work of their medical officer of health, and supposing he is to be transferred to another municipality which has got an excellent officer of their own. How will the exchange be effected? Besides my personal experiences is that though technically we may not have, but actually we have entire control over our medical officer of health. He is bound to carry out the orders of the municipal board, and so far as his work is concerned inside the municipality it is examined in every meeting of the municipal board; if it does not prove satisfactory of course the board can take its own action. But, Sir, this is a matter which refers more to the department and I cannot explain it. At any rate, I do not think it would be advisable for this House to reduce any amount out of the little that has been allotted for this important department. I therefore oppose this motion for reduction.

Khan Bahadur Maulvi Fasih-ud-din : I give my unstinted support to the principle underlying this motion, although I am not prepared to give my vote for the substantial cut that has been proposed. It is my personal experience that these health officers have proved themselves to be

[Khan Bahadur Maulvi Fasih-ud-din.]

a nuisance to the municipal boards, and they constitute the chief item of their grievance. The municipal boards have absolutely no power to punish them, to dismiss them or even to get them transferred. I know of one or two municipal boards at least who have found their work to be quite below the mark, who have found out that the subordinates of these health officers are taking money right and left in connection with measurements of manure pits, and so on; still they have not been able to get them transferred. It is a great anomaly, and I think the sooner it is removed the better it will be for municipal administration. I know that in one or two cases the municipal boards tried to get these health officers sacked, but the Commissioners and the other higher authorities came in their way and raised all sorts of objections. It is therefore a matter of great urgent importance that something should be done in order to remove this most legitimate grievance of the municipal boards.

The Hon'ble Rai Rajeshwar Bali: The chief complaint with regard to this item has been that the municipal boards have not got sufficient control over their health officers. Now, Sir, the position is this. No doubt the Government has some hand in the appointment of these officers, but they do not form a service in the same manner as, for instance, the assistant surgeons, or in the same way as we are contemplating with regard to our district medical officers of health. We keep a list of these medical officers of health with first and second class qualifications, and then we ask the municipal boards to choose out of that list. When a municipal board appoints a man we agree to it. If the municipal board is dissatisfied with its medical officer of health, it can by a resolution express its dissatisfaction, and then we shall always be ready to take action. While with regard to some of these I have been receiving complaints privately, no municipal board has so far had the courage to express its disapproval in the form of a resolution. How can we take action on the basis of private information? Of course if a municipal board arranges with another municipal board of the same class for the transfer of their medical officers we never stand in their way. But it must be borne in mind that the job of this officer is a thankless one, and if he tries to do his duty efficiently, the chances are that he will very soon alienate the sympathies of many members of the board. The members do not properly appreciate—at least in many cases it has been found to be so—the nature and the gravity of the work which this officer has to do. However, if we form a Government service by which we could transfer them from one place to another I think the result will be more satisfactory. We are already contemplating to do this. We want to form a complete service of medical officers of health serving under both municipal and district boards under our direct control; and then when a board will express that a certain municipal officer is not liked by them, then we shall be able to transfer him to some other place. At present we cannot do this, because the appointment is made by these boards themselves, and unless they express their desire in the form of a resolution, we cannot take any notice of it.

As for sanitary inspectors it has been said that the rule is that for every town with a population of 20,000 there should be a sanitary inspector. I think that is a salutary rule. Unless we fix some sort of

percentage the boards will not appoint the inspectors. The reasons for this are obvious. They are so much pressed financially from every side that they will not fully realize the value and worth of these sanitary inspectors. Therefore I think this is a salutary rule. As there has been an increase in the population of certain municipalities the number of sanitary inspectors had to be increased, and this accounts for the increase of Rs. 8,000 or Rs. 9,000 in the budget.

Then it has been said that we have provided too little for the rural sanitation and too much for urban sanitation. I quite agree with my honourable friends over there that we should be able to provide more for rural sanitation. I quite agree that we should attempt to extend the district health scheme to as many districts as possible. We have provided for four more in this budget, and if I am able to get that one lakh that was cut in regard to the Provincial Hygiene Institute I shall be able to extend the scheme to six or seven more districts. It is all a question of funds. If I am able to get more funds I will certainly do it. But I cannot agree that because rural sanitation is more urgent therefore we should not spend what we are spending on urban sanitation. After all, these are the centres where large numbers of people congregate. Take the case of pilgrim centres. Large number of people go there and they are mostly from rural areas. If once an epidemic starts it spreads throughout the whole province and affects the rural areas equally. Therefore, while I agree that we should try to spend more for rural sanitation, I cannot agree that there should be a reduction in what little we are doing for urban areas.

Motion negatived.

Babu Bhagwati Sahai Bedar : I beg to move . . .

The Hon'ble the President : There are three items in this demand : customs duty, bovine lymph and municipal health officers. We have dealt with two. There is still one left—bovine lymph.

Babu Bhagwati Sahai Bedar : Yes, Sir.

The Hon'ble Rai Rajeshwar Bali : Is that motion No. 3?

The Hon'ble the President : Yes.

The Hon'ble Rai Rajeshwar Bali : Then the figure Rs. 18,500 is wrong.

The motion to be moved should be that the demand for Rs. 50,847 be reduced.

Babu Bhagwati Sahai Bedar : May I move a reduction of Rs. 10,000? I beg to move that the demand of Rs. 50,847 in respect of the item regarding the Bovine Lymph Dépôt charges be reduced by Rs. 10,000. In moving this reduction I beg to say that if we compare this item with that of the accounts for 1923-24 we find a difference of Rs. 11,000. I think nothing new has been added to it and therefore this item should be reduced.

The Hon'ble Rai Rajeshwar Bali : I would accept this motion if it is amended in this manner that instead of reducing by Rs. 10,000 reduce by Rs. 3,044.

The Hon'ble the President : The Hon'ble Minister will kindly move that amendment.

The Hon'ble Rai Rajeshwar Bali : I move that for the figure Rs. 10,000 the figure Rs. 3,044 be substituted.

The increase is due to two items: one is the provision for reinforced concrete posts and fencing wire round the Government Bovine Lymph Dépôt, Patwa Dangar, district Naini Tal. This accounts for Rs. 3,771. The other is for constructing a masonry reservoir at the same place at a cost of Rs. 3,044. Honourable members will find these items at page xi of the schedule of new demands. So far as the provision for fencing wire and reinforced concrete posts is concerned, I wish to persuade the honourable members of this House to agree to the retention of the sum of Rs. 3,771. The wooden posts that have existed so far easily get rotten, with the result that the dépôt is often attacked by panthers and tigers who carry off the calves. Now we propose to provide reinforced concrete posts in order to make the fencing more secure.

With regard to the other items, namely, the masonry reservoir, I shall not insist, as we have been able to make another arrangement by which this can money be saved.

Therefore I move that Rs. 3,044 be substituted for Rs. 10,000.

Amendment agreed to.

Motion as amended agreed to.

Mr. Muhammad Aslam Saifi : I find that this sum is for the subordinate officers of the Public Health department and it consists of an item of Rs. 13,800 which is distributed between a Secretary, a few clerks and a few peons. I should like to know what the functions of this board of Public Health are. Last year on the occasion of the budget discussion on this department we were told by our honourable friend Mr. Burn that out of Rs. 1,00,000 which was allotted for rural sanitation only Rs. 9,000 were spent. If to spend Rs. 9,000 we require a staff on which we are required to pay Rs. 13,800, I think this is a very remarkable organization. If on the other hand it has other functions with which the House is not acquainted, I should like either the Hon'ble Minister or Mr. Burn to inform the House. I find I have not moved my motion. May I do so now?

The Hon'ble the President : The honourable member must move his motion. The honourable member has no right to speak unless there is a question before the Council. There is no motion before the Council.

Mr. Muhammad Aslam Saifi : I move that the demand of Rs. 13,800 in respect of the item regarding Board of Public Health at page 88 of the Detailed Estimates be omitted.

Mr. R. Burn : The Board of Public Health has been in existence for something like fifteen or eighteen years. Its functions are not simply to spend the money which appears in the budget under the head Establishment and travelling allowance, but in accordance with the rules made under the United Provinces Municipalities Act it has to examine and pass projects for a large number of works. Practically all big works of sanitation, water-works, hydro-electric supply, things like markets, etc., come before it. The present budget in fact includes items amounting to 10½ lakhs for loans to municipalities and 5½ lakhs to be spent on grants to municipalities for sanitary purposes which have come before the board. In addition to that it controls a grant of Rs. 1,00,000

which is spent on rural sanitation and as grants to small towns, another grant of the same amount for expenditure on pilgrim centres and a third of 1½ lakhs for grants-in-aid of small municipal projects which it gives at its discretion. During the last year we appointed a sub-committee to consider what could be done for the improvement of rural sanitation, and as remarked by the Hon'ble Minister in moving the grant of this department, its plans have been found very useful in laying out again villages demolished in the flooded areas. They also include plans for model houses. The Council will thus see that the work of the Public Health department is important, and I can assure honourable members that it certainly gets through a great deal. Its meetings are well attended by the non-official members, some of whom are nominated by this Council.

Motion by leave withdrawn.

Maulvi Muhammad Obaid-ur-Rahman Khan : I beg to move that the demand of Rs. 4,550 in respect of the item regarding allowances at page 88 of the Detailed Estimates be reduced by Rs. 1,550.

Sir, at page 88 of the Detailed Estimates the honourable members will find under the item " Allowance and honoraria, etc." that for travelling allowance a provision of Rs. 4,550 has been made, while the figures for the year 1924-25 are only Rs. 2,170. The amount shown in the revised figures for last year is Rs. 3,000 only, which represents the sum actually spent. Now, there is an increase of Rs. 1,550 made in the budget for 1925-26. I think that we ought to sanction only Rs. 3,000 and not Rs. 4,550, and therefore I move and ask the House to reduce Rs. 1,550.

Mr. R. Burn : If the honourable member will refer to the figures in the budget for the year 1923-24 he will see that the actual expenditure then was Rs. 4,651. The increase in the budget year is only nominal and it is due to the fact that there has been a wrong budgeting procedure in the past. The office of the Board of Public Health understood that it should only provide for the travelling allowance of the Secretary and the clerk who goes with him when the meetings of the board are held elsewhere than in Lucknow. The Board of Public Health used to make no provision for the travelling allowance of non-official members. This has now been set right in the budget for 1925-26. The increase simply represents the cost of travelling allowance of non-official members which used to be put in some other place in the accounts.

Motion negatived.

Pandit Yajna Narayan Upadhya : I beg to move that the demand of Rs. 17,600 in respect of the item regarding Provincial Hygiene Institute at page 88 of the Detailed Estimates be reduced by Rs. 10.

The institute has got an Assistant Director of Public Health on a salary of Rs. 12,800 per annum and a lecturer on Rs. 4,800 per annum, but what work it is doing is not known to anybody. If one casts an eye on the villages he finds that no steps of any kind have been taken by the Government to improve the hygienic condition of the villagers. Thousands and thousands of people die of plague, cholera, influenza and other diseases in these provinces every year, but perhaps the institute has got no idea of the extent of this calamity. My submission, therefore, is that instead of spending money on such big institutions

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like the Hygiene Institute, the Government ought to devise a scheme by which the villagers may be able to improve their health.

Rai Bahadur Thakur Hanuman Singh: I understand the Hygiene Institute is intended for the training of medical officers of health. If so, I should like to know how many students there are at present under training, whether there is any limit to their number, and whether all the students who pass out of the institute are able to secure employment in municipalities and in the rural areas.

Mr. G. B. F. Muir: There was one remark of the mover of this motion with which I entirely agree. He said that the chief requirement in the rural areas is the education of the villager in matters of hygiene. That is perfectly true. That seems almost the only way in which any progress can be made in improving the health of the rural area. But I would remind him that education cannot be carried on without the staff to carry it on. The Provincial Hygiene Institute is an institution founded and maintained entirely for the purpose of training workers in hygiene. At present it trains each year eight candidates for the Diploma of Public Health which is granted by the Lucknow University and seven candidates for the Licence in Public Health, which is also a qualification open to men who hold the Agra Medical School qualification. It also trains 30 or 40 candidates a year for the apprentice sanitary inspector's certificate and between 20 and 30 for the trained sanitary inspectorship. Thakur Hanuman Singh has asked whether all students who apply are admitted. I am afraid that they are not because the accommodation is inadequate, and that is a reason why the Government asked this House to provide money for building a proper, self-contained and well-equipped institute. Until that institute is built, I am afraid that we shall not be able to train as many workers in public health as we wish, much fewer than are really needed for the rural area. The Hon'ble Minister has mentioned his desire to extend the district health scheme to a number of other districts. I sincerely hope that it will be done, but it will not be possible to staff all the districts with men who have efficient training in matters of hygiene. We have not enough men available and we shall not have men available until we have a properly equipped hygiene institute. Thakur Hanuman Singh also asked whether the men turned out of this institute are for municipalities or for rural areas. They are sent to both. Districts where the district health scheme is in force get from these classes the district medical officers of health and the sanitary inspectors who are appointed in each tahsil.

Dr. Muhammad Naim Ansari: I am rather astonished to hear the remarks made by my honourable friend Mr. Upadhyaya whose father is doing research work. Everybody knows the benefits derived from research work. In every branch of science research work is the foundation stone. India cannot live on the research work done in other countries. If you want to get rid of these preventable diseases from India, research work is the only thing which we have to do. This institute is practically a very defective institute at present. It requires to be improved, and unless you improve this research in the province you cannot think of any improvement in town sanitation or rural sanitation at all. Research always adds to the knowledge and it lifts the veil which hides the causes of disease and mortality. So I think we should

not consider this question in a superficial way; we should consider it in a scientific way, and as to the importance of research I need not say much. Researches do not give any result at once; it takes centuries and centuries to arrive at some results, and these results prove very beneficial to humanity.

Pandit Yajna Narayan Upadhyaya : I beg to withdraw my motion.

Motion by leave withdrawn.

Thakur Shib Narayan Singh : I move that the demand of Rs. 3,840 in respect of the item regarding remuneration to examiners at page 88 of the Detailed Estimates be omitted.

In support of his motion Thakur Shib Narayan Singh spoke in Hindi and the Hon'ble Minister of Education also replied in Hindi.

Pandit Govind Ballabh Pant : I think these examiners belong to the department and are under Government employ, so I do not see any reason why they should be given any fee. It should be regarded as part of their work. The Economy Committee made a recommendation to this effect in respect of other examinations, and the same principle applies to these. My suggestion is that fees may be paid to those examiners who are not in Government service, but so far as these examiners are concerned, who are drawn out of the department itself, no fee should be paid to them. That would mean some saving. It is a suggestion which it is open to the Hon'ble Minister to accept or not to accept. We do not press it.

The Hon'ble Rai Rajeshwar Bali : We tried to go into this question in connection with the examiners of the Agra School, about whom the Economy Committee had made a similar recommendation. As a matter of fact we accepted the recommendation at first; but then came protests from our officers as well as from the Lucknow University from whose staff most of these examiners came. They said that this work did not form part of their normal duties. The same will be the case again, though it is true that most of the examiners come from the staff of the Government. They are, for instance, Assistant Directors of Public Health and the Director of Public Health, etc., but they have really no direct concern with this Provincial Hygiene Institute, and it is after all a very small sum.

Pandit Govind Ballabh Pant : We leave it to you.

The Hon'ble Rai Rajeshwar Bali : I think it would not be fair not to give them a small return for their additional labours which they have to do in connection with examination work and which does not form a part of their normal duties.

Motion by leave withdrawn.

Babu Mohan Lal Saksena : I move that the demand of Rs. 73,490 in respect of the item regarding salaries at page 89 of the Detailed Estimates be reduced by Rs. 25,000.

If the honourable members will kindly refer to page 89 of the Detailed Estimates they will find that the total amount provided in the budget for 1925-26 comes to Rs. 2,02,440 and that the revised estimate for 1924-25 is Rs. 1,63,100, so that there is an increase of Rs. 39,340. No explanation is given in the budget memorandum as to the cause of this abnormal increase. Again, I would like to draw the attention of honourable members to the fact that there is an item in the same page "Deduct

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recoveries on account of fees for service rendered" for Rs. 2,50,000. My submission is that this item should have been shown on the income side so that it would have given an exact idea of the amount which is actually being spent on this department. The amount of Rs. 2,50,000 deducted from the sum of Rs. 4,23,750 leaves a balance of only Rs. 1,73,750, so that the Council is required only to sanction this amount. I submit that as in the case of the Education and the Jails department such items are shown on the receipt side. Similarly this item too ought to have been shown on the receipt side and then the Council would have seen that the actual amount that is being spent on this department is not Rs. 1,73,750 but Rs. 4,23,805. Again, Sir, the amount that has been estimated to be realized has not been actually realized during the year 1923-24 as will appear from the Government resolution on the Public Health department, dated the 14th October, 1924. There it is said :—"The engineering branch of the Public Health department spent Rs. 51,22,760 on the construction of original works and Rs. 13,87,214 on the maintenance and repair of works already opened. These two items in the previous year totalled Rs. 44,66,066. The cost of the establishment of the branch was reduced from Rs. 4,08,408 to Rs. 3,67,000. The fees earned by the branch amounted only to Rs. 1,30,825. Hence the major portion of the cost of the branch was borne by the Government." My sub-mission is that this branch of the Public Health department should confine its activities to scrutiny and inspection ; it should give up the work of supervision and execution work on behalf of the various municipalities. The system, I submit, obtains in England where they have got inspectors under a Local Government Board, and their work only is that whatever schemes of work are submitted to them, they scrutinize them and hold public inquiries at the places where the work is to be executed and when they are satisfied that there is no serious objection to the scheme at large they sanction it and allow it to be executed, by the municipal board or the local board as the case may be. Their work lies in seeing that the work is carried out properly. They do not charge any supervision fees as is done by the Government here which charges 17 per cent. out of the grants and loans that are advanced to the municipal boards, with the result that whatever the Government gives to the municipal boards, with one hand it takes away with the other. I submit that if municipal boards are allowed to select their own agency or if they are allowed to carry out these projects and the Public Health Department confines itself to scrutiny and inspection, a great deal of money will be saved and there will consequently be less expenditure. I would illustrate my contention by the execution of the water-works project in Lucknow city. The total cost of that scheme was about 29 lakhs. A part of that scheme was of course after several representations by the municipal board allowed to be done under the supervision of the municipal engineer himself and the total charges of supervision, I have ascertained, did not exceed more than 10 per cent., while here we have to pay 17 per cent. on account of supervision fee. Then, again, when this work is given to the contractors, the contractors are required to engage the services of expert sanitary engineers for supervision ; for instance, in this very project a part of the scheme, that is, the erection of the chimney, was

given to one contractor and he had to engage the services of another competent engineer, I mean Messrs. Lane Brown and Hewlett, and he had to pay them 10 per cent., so that the total amount of supervision fee came to 17 plus 10 equal to 27 per cent., that is, of the total amount given to the municipal board in the shape of grant and loan for this project, 27 per cent. had to be spent on supervision charges. If my suggestion is accepted, then the total supervision charges would have been 10 per cent. only.

Again, it cannot be contended on behalf of the Government that the Superintending Engineer is an expert in sanitary engineering. On the other hand, Superintending Engineers are generally recruited from the executive engineers of the Public Works department. They have no experience of sanitary engineering and often they are deputed to England to pick up that work. If we allow this work to be done by the municipal board or by private agencies instead of its being done by the Public Health department, we would not be only encouraging private enterprise and firms, but would succeed in effecting substantial economies on account of public competition and thereby save some money to the municipal board at whose cost the whole work is done.

In this connection I may also cite the instance of the project of the expansion of sewers in Lucknow. The project which was estimated to cost about Rs. 1,08,000 was sanctioned in 1921 when His Royal Highness the Prince of Wales visited Lucknow. If that had been done under the supervision of the Public Health department it would have cost us about 17 per cent. on supervision charges, but we were allowed to select our own agency after prolonged correspondence. We entrusted the work to Messrs. Lane Brown and Hewlett who would ordinarily have charged more than 10 per cent. if their services had been engaged through the Government and they only charged us 10 per cent. The whole scheme could thus be carried out for only Rs. 68,000. Of course there was certain reduction on account of the fall in wages and prices.

So I submit that the present system which obtains in the Public Health department is not altogether satisfactory. There is another point, and that is that there is no other agency to check whether the work is being properly done. The Public Health department or the Superintending Engineer is judge, complainant and witness all combined into one in respect of the work done under them, and I will also illustrate this point by the fact that the chimney project which was designed by the superintending Engineer cracked in only six months, as members must have found out from the question I put to the Hon'ble Minister in this Council. That scheme was designed by the Public Health department that was executed under supervision of Messrs. Lane Brown and Hewlett and it has now cracked. And, Sir, the difficulty lay in the fact that there was no other person or agency to scrutinize and inspect whether the scheme which was designed by the Superintending Engineer would prove satisfactory. So I submit that in future the Government will adopt this system, and I think it would then be saved at least 2½ lakhs of extra expenditure which it has to incur in order to maintain a staff in anticipation of the work that might be done by it for the municipalities. We know, Sir, that we are going to have a number of water-works projects in the various municipalities,

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and if the Public Health department inflicts its own agency upon them, I think it shall be a great wrong to them because they are asked to be responsible for the work of an agency in which they have no hand or voice and still they are required to be responsible for it and are required to pay for it. In connection with the execution of the water-works project in Lucknow I may also remind the Hon'ble Minister of the case of one contractor whose services were terminated at the sweet will of the Superintending Engineer or the officer responsible for the execution of the work, and the case has not yet been decided, though the project has been completed and it has been done by another agency. With these few words I hope the Council will accept the reduction of Rs. 25,000 in this item of salaries for Superintending engineer, and of course if it is accepted I shall move the other resolution standing in my name to reduce the amount provided under head "Establishment."

Lieut. Raja Durga Narayan Singh : I want to make an amendment to the effect that instead of Rs. 25,000 substitute Rs. 9,500.

The Hon'ble the President : It was open to the honourable member to send in a motion to that effect.

Lieut. Raja Durga Narayan Singh : No, I have no motion.

The Hon'ble the President : In the case of resolutions an amendment to an amendment may be moved without objection, because in that case nobody knows what the amendment seeks until it is proposed in the Council. Then only do members know where they stand. But in the case of an amendment to a motion on the budget, everyone knows what the demand is and every member knows whether he is satisfied with that demand or not. If he is not satisfied, it is open to give the ordinary two days' notice so that his motion can be put on the paper. Amendments to amendments would be possible, say, if moved by the Government or if the original motion is not clear on the paper and that motion itself has to be amended to some extent. An amendment to that amended motion might be allowable, but ordinarily two days' notice has to be given in the case of all amendments dealing with the budget estimates. The amendment which Raja Durga Narayan Singh wishes to move is a substantial motion for a cut of Rs. 9,500. No notice of that was given as the rules require. Ordinarily I do not admit amendments of that nature; the circumstances would have to be special.

Pandit Brijnandan Prasad Misra : There are certain points in regard to the working of the engineering side of the Public Health department which I want to bring to the notice of the Hon'ble Minister in charge of this department. First of all, it would appear from the very name of the engineering side of this department that they are meant for looking to the sanitary side of the question, but in this connection what I have to submit is that I have been told that not one of these engineers (except perhaps one man) has got any knowledge in particular of sanitation or hygiene or has got any education to that particular effect. In this service there are two divisions: one is called the expert service and the second the temporary service. As I have said just now, the expert service also has no person with any knowledge of sanitary engineering. As for the temporary engineering I have to say that it seems to be somewhat anomalous and strange that these persons who have been given this service are always called temporary,

though they may go on for any length of time the name is not changed, and its name seems to have been given to the service perhaps for one reason and it is because it is not a permanent service, so any persons might be turned away at any time who may arrogate to themselves the qualifications or the ability on making a claim for the executive engineership. This executive engineership in this branch has always been kept as a close preserve for Europeans up to this time and not a single person has been appointed as executive engineer from among Indians. In the time of Mr. Chintamani one engineer was, no doubt, appointed, but he was not given charge of any division as such.

Another complaint in this respect is this that the engineers who work generally give contracts without setting down any particular line of principle for making selection. The honourable gentleman who has preceded me said that the contract of the present contract or I suppose he referred to the case of Mr. Naithani, was terminated at the sweet will of the Superintending Engineer. I have no complaint to make on that head as the previous speaker referred to it, but what I have to say is that at the close of that contract the contract was given to another person in preference to a Rai Bahadur, who was a reliable and good worker. His case was overlooked and the contract was given to a person who could not make out a strong case for himself for preference. The case of the chimney is also one in which expert knowledge made constructions and it is now destroyed. In that case the municipalities may very well say that they would rather be saved from the advice of experts of that type. If the municipalities have to pay a large share of their money to experts of this kind, it is certainly not much to their advantage to have persons of this kind. Now as to the remark which I had made above, the services being intended and desired to be kept up for Europeans, I may say that not a single Indian has been given an opportunity to get a division. I understand that the term of contract of some of these European engineers is coming to an end at the close of this year. The European service on the expert side being very highly paid, I may request the Hon'ble Minister to see that when the term of their contract expires their contract is not renewed, and that engineers who are in the temporary branch, many of whom have at least as much knowledge as, if not better than, that of their European confreres, be given a chance on the expert side and be placed in charge of divisions. Mr. Platt, who holds charge of one of these posts has gone away and his place is left vacant. If that post is abolished it would be all right. But the post is not abolished. When I try to look into the mentality of the officers in whose hands these arrangements lie, it seems to me that they want to keep it in abeyance as long as some suitable European is not forthcoming. If that is not the intention, why has not the post been abolished? If there is no work the post must be abolished, but if there is work the post must be filled up, and filled up by some Indian.

I have also been told that some engineers of the Public Health department give great deal of trouble to municipal boards. Not one of the municipal boards want to seek their help, and yet they are thrust on the shoulders of the municipal boards against their will. Complaints have come to me in regard to the working of officers who are placed in charge of works. I have been told that some trouble was created in respect of the hydro-electric scheme of Naini Tal. There was some correspondence also between the Deputy Commissioner of Naini Tal and the

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officers of the department. A very large number of people were shown to be working in connection with the scheme, and the number of workers was shown to be such as would perhaps exceed even the population of Naini Tal itself. Such are the strange and wonderful methods of working of this department, and to the Hon'ble Minister what I would say in the end is that he should see that the claims of Indians are also recognized and that the European engineers do not have their own way.

Pandit Govind Ballabh Pant : I rise to support the amendment of Babu Mohan Lal Saksena. Before proceeding further with the merits of the question that is before the House, I may just tell the Hon'ble Minister what is our general attitude towards the nation-building departments. We want him to get as much money as we possibly can. We find that there is a dearth of funds, and if they could give more money for public health purposes we should help him in getting that money. I hope the Hon'ble Minister will succeed in getting the one lakh that was provided for the Public Health Institute, so that he may spend it for the purpose of promoting real, genuine public health. At the same time we wish that the money should be spent for really beneficial purposes, that every rupee should go as far as it can, that we should get full value for every rupee we spend over these projects, specially when we have got Ministers to administer the departments.

I may say that we do not really want that the money should be taken away from the head under which it is provided but we want that wastage should be stopped and that the money should be diverted into more useful channels where it can be appropriated for directly beneficial services. Now, coming to the particular subject which is under discussion, honourable members of the House will be pleased to notice that there are 18 officers of the higher grade and about 150 members in the establishment of this Public Health Engineering staff. I do say that there is too much multiplication of this engineering service. We have got I should think as many as five or six of these services. We have got the Public Works department Engineering Service, Irrigation Engineering Service, Agricultural Engineering Service, Forest Engineering Service and Public Health Engineering Service. I think the various departments should make it possible to have implicit faith in the Chief Engineer of the Public Works department and it will not be proper to have so much of bifurcation in the matter of supervision.

As you all know, the allotment made for public health purposes is much less than what it is in other provinces in the country. Yet we find that out of this as much as Rs. 1,75,000 is devoted to this engineering service after setting off Rs. 2,50,000 on account of contributions taken from municipal boards. Well, these contributions are just in the same nature as the Lee Commission's recommendations. The municipal boards, whether they desire it or not, are forced to pay money. A certain percentage is fixed by the Government and they are not in a position to demur. Whatever may be fixed they have to comply with their order. In fact there is an expenditure of about 4½ lakhs over this engineering service. I ask, in all conscience, whether we can afford it, whether there is enough work for these men? I go further. You will find that one of the gentlemen is set apart to be in charge of a well-boring division. My

friend the Hon'ble Minister of Industries has five men who are well-boring and range engineers. So that we have one department of well-boring engineers here and we have another department of well-boring engineers there with another highly-paid engineer in charge. During the year the engineer and his staff did actually succeed in completing four tube wells and in having three incomplete wells. This seven has been too much. If he had not done even one there would have been occasion for being grateful because the surface of earth would not have been bored anywhere though we would have been bored nevertheless. I do ask, taking in to account the financial stringency which is preventing us from spending money on very useful purposes, is it really worth our while that we should be paying away Rs. 30,000 to one division. That is the minimum calculation that we have come to and I would not be surprised if it is near Rs. 40,000 for four wells completed and three wells started. I shall be interested to know what is the total outlay over these wells, whether it is more or less than the total expenditure on the supervising staff. If it is more than that, then I say that perhaps the labourers too are having as much latitude as the supervisors. You go further and you will find that one gentleman is set apart for project work. I ask, in all humility, what are these projects that you are going to put? I think the Board of Public Health has got at least 30 to 40 projects and, if Mr. Blunt could find the money, they would consume some crores. Well, what do you want these men to prepare projects for? When are these projects to be put into effect and what is the use of them? Is anything to be made from these projects? So I submit that there is hardly any room for any expenditure for adding to the number of these projects on paper, and I will give you an instance of how very efficiently, and how very economically and how very cautiously these projects are prepared.

Then there is another gentleman and he is the mechanical engineer. Well I know that so far as the water works are concerned, every city has been crying itself hoarse over their difficulties and every one of them has got a highly-paid engineer of its own. I do not know if this mechanical engineer has any powers of supervision over them or whether he is there to act as an adviser to the gentlemen that are carrying on the work on paper, but I do ask whether there is any real use even for this mechanical engineer. We have put down a sum of Rs. 25,000 simply nominally. If it had been any other department we would assure you that we would have asked for the omission of the entire amount, as it is a wastage. As I promised, I will give you an instance of how these projects are prepared. The Naini Tal hydro-electric scheme is well-known and those who have been to Naini Tal must be thanking the gentlemen who are connected with it for giving them the benefit of electric light. But as to how the scheme was put through, and what it was expected to cost and what it actually did cost, I will read out just a paragraph from the Municipal Administration report for the year ending 31st March, 1922, for Naini Tal municipality by the Commissioner of the Kumaun division:—"As regards the finance of the scheme (he is referring to the hydro-electric scheme) you have already addressed Government through me. (The letter is addressed to the Chairman, municipal board, by the Commissioner.) It is unnecessary to go over the ground again. It is sufficient here to recapitulate the

[Pandit Govind Ballabh Pant.]

facts; that the board having originally contemplated a scheme costing four lakhs finds itself committed, through no fault of its own, to a scheme costing twenty lakhs; that having been led to hope that the scheme would be self-supporting in three or four years it now finds that the scheme is unlikely to be self-supporting in less than seven years: (I may tell you here that the report for the year 1923 says that it is doubtful if it can ever be self-supporting) that its annual income is little over 2½ lakhs, an amount insufficient to pay for its ordinary services. It is manifest that if it is required to bear any but a small part of the burden of financing the scheme the board is already bankrupt. I am not without hope that Government will admit the cogency of these facts and treat the board with generosity." I may here tell you that the scheme as it was communicated to the municipal board of Naini Tal was estimated, according to the calculations of the expert staff, to cost something like 3 or 4 lakhs and the municipal board gave its consent. Some time after they were told that the scheme would cost, not between 3 or 4 lakhs, but, between 9 and 11 lakhs. The scheme had been partly put through and the municipal board had to agree. Well, a few months later there came another injunction and we were told that it would cost 20 lakhs and if we did not agree, all that is spent so far is wasted. Well, that is the skilful advice of the very ingenious experts, and I can only say that the smaller the number of these experts the better for the Government and for the municipalities concerned. In this connection I would request the Government to examine the position and if they have a heart—which is very doubtful—then to put their hand to it and say whether the municipal board should be liable for the miscalculations, if nothing more, of their expert advisers and whether it is not up to them to exonerate the municipal board from the payment of the debt of about 15 lakhs which had been piled upon the municipal board against its wishes. If the Government is not prepared to do that, I can only tell them that they should take all the income of the municipal board there is in the form of interest and they should have no conservancy staff and no water-works there.

Now, there are one or two other points and they have been indirectly touched by my friend Mr. Saksena. The present staff was engaged, I think, some time about December, 1920, and they were engaged for about six years. We know that in answer to a question the Government admitted that they had no expert qualifications; that they had never received any expert training as sanitary engineers. Well if they have been given an opportunity of improving themselves, I hope others could as well be given similar opportunities. But I do submit to the Hon'ble Minister whether it suits his sense of self-respect that while one of the products of the Thomason Engineering College should be holding the position of Chief Engineer in these provinces, he should not be able to find Indians to fill these posts; of course the attraction may be greater for others, for there is no responsibility, no work, fat pay, and any amount of privilege; but if all should have a hand or a finger in the pie, let the brown people have something out of this money which is not being put to any useful purpose whatsoever.

I submit, Sir, there is a limit to which things can be tolerated, and in this case anybody who looks minutely into the affair cannot but be struck by this negligent wastage of money that has been allowed under the illusive name of expert control and supervision. In fact there is so much

to be said in this connection and I think so strongly that the best thing for me is to sit down with the request that if what I said cannot in any way impress the gentlemen occupying the benches opposite then perhaps we should give up the hope of ever bringing them round to reason.

Mr. E. A. H. Blunt : I am not officially connected with cracked chimneys and bored wells, and so on, but as certain reference has been made to the figures by the original mover of the motion I should like to make the figures clear. He said there is an increase of Rs. 29,000 as between the budget of this year and revised of last year. That when we take into account the non-voted is perfectly correct, but he should first examine the difference between the revised and budget of last year. There also there is a decrease. The decrease is due to two facts. It is due to the fact that two senior officers of the department were on leave and were replaced by junior men. There is another small decrease in the total of the voted amount, taking permanent and temporary engineers together. This is due to the abolition of a post. Consequently the figures for this year are really no larger than the figures of last year; for of course the salaries of the people who went on leave were shown in a totally different place, namely the High Commissioner's budget. He also referred to the question of this deduction of recoveries. Well, he may be right or he may be wrong. At all events I can assure him that in matters of this kind we have to conform to the orders of the Auditor-General, we are not allowed to do anything else. He also said these figures do not show the total cost of the department. The total cost of the department is actually in the line just above the deduction. How more clearly we can show them I really cannot say.

Mr. A. C. Verrières : There have been various criticisms levelled at the Engineering branch of the Public Health department. One is that it inflicts its scrutiny upon different municipalities. Now, Sir, I would like to make it perfectly clear that it does not inflict its scrutiny upon the municipalities, except in those cases in which the Government is financially interested.

Even in such cases, it does not object to the work being carried out by a properly qualified engineer, one who has really expert knowledge of the work. My honourable friend Babu Mohan Lal Saksena suggested that the officers of the Public Health department are not experts. Well, Sir, the officers of this department have been sent out to us by the Secretary of State. We have such officers as Messrs. Platt, Tunnicliffe and Siese. The honourable member also said something about the cracks in chimney at Aishbagh. It was said that these were due to bad construction. As a matter of fact the cracks in the chimney are not due to bad construction. Cracks have certainly appeared, but that is purely because the lower part of the chimney was constructed in cement, than which there is no better material. Cement is rather brittle and expansion due to temperature really has caused these cracks. There is absolutely not the slightest danger of the collapse of the chimney.

The honourable member also mentioned something about the contractor of mechanical filtration plant building. This contractor gave us no end of trouble, and the Executive Engineer put up with him far longer than I should have done. In any case the whole case was submitted to me. Under the terms of the contract the case should have been disposed of by the Superintending Engineer, Public Health

[Mr. A. C. Verrières.]

department, who was the final authority in this case; but as it was submitted to me I went through the whole case. The case of this contractor was again referred to an independent authority, that is, Mr. Tillard, who went through all the evidence and came to the conclusion that we had treated the contractor very well. Now, Sir, I do not think that the honourable member opposite can object to that treatment.

Babu Mohan Lal Saksena : May I know what was the necessity of putting the case before Mr. Tillard?

Mr. A. C. Verrières : The whole facts of the case were placed before Mr. Tillard, as he was an independent authority.

Babu Mohan Lal Saksena : Was the contractor given any opportunity to represent his case?

Mr. A. C. Verrières : He had no right to expect that.

Babu Mohan Lal Saksena : Am I to understand that the judgment was an *ex parte* one?

Mr. A. C. Verrières : It may have been so.

I do not know really anything about the other contractor to whom the honourable member referred. I mean the Rai Bahadur. I do not know anything about that case.

As regards the Executive Engineer, Mr. Platt, he has been sent away on deputation and his place will now be filled according to our requirements and the work that is to be done.

We are also reducing one division, i.e., the Boring division, to a sub-division. That is because, as the honourable member opposite suggested, there is really very little work for that division now.

Pandit Govind Ballabh Pant : May I know whether the cost will go up or come down by this reduction?

Mr. A. C. Verrières : It will go down. As regards the combining of the Boring division with the Agricultural department I do not think that this is possible, because in our case we do deep well-boring and they do very shallow work. As regards the work which engineers of the Public Health department have to do, I should like to inquire how the different municipalities are to get on without the sanitary branch. I have here before me a list of the projects under preparation for 1925-26, and I will not weary the Council by enumerating all of them. I shall, however, give the names of a few items at random. They are: (1) the additional filters for Agra, (2) the Roorkee electric supply, (3) the Benares water supply, (4) the Ferozabad water supply, (5) the Gonda drainage, (6) the Fatehpur water supply, (7) the Aligarh water and electric supply, (8) the Kanauj drainage, (9) the Hardwar drainage and (10) the drainage of the mandi at Muzaffarnagar. Will the honourable members opposite kindly tell me who will prepare the above and other schemes, if the sanitary branch is abolished?

With regard to the design of drainage works and water supplies, I should like to submit that the Government would be delighted if private agencies or somebody else would come forward to undertake them. We are perfectly willing to allow the Public Health engineering staff to be reduced to a purely inspectorial staff, if the honourable member opposite

can inform us how the schemes that I have named are going to be carried out.

As regards the duties of the mechanical engineer, I should like to read a paragraph from a letter from this Government to the Government of India in which they are summed up. They consist of the following :—

- (a) to inspect all water works machinery ;
- (b) to make tests on all machinery, and to standardize and check expenditure on coal, stores, oil and waste ;
- (c) to check budgets for such items and advise on the placing of contracts ;
- (d) to advise on new plant required and to check or prepare estimates for all repairs ;
- (e) to keep a complete list of all spare parts and to see that a sufficiency of such parts is always maintained ;
- (f) to see that all machinery is kept in a thoroughly efficient condition ;
- (g) to arrange for the economical working of the pumping and workshop plant and to see that all repairs are properly carried out ;
- (h) to supervise generally the work of the mechanical staff and to report on their work and qualifications ; and
- (i) to supervise erection of all new machinery.

The Council will now realize that the work of the mechanical engineer is not merely to sit in his office and to give directions. Now, I wish to point out that with really efficient supervision the plant and our water works stations should never need complete overhauls. We are painfully aware of the breakdowns in 1912, 1915 and 1917 in Allahabad and in Benares. We have had trouble owing to the incompetence of the superintendents. These men have a certain amount of local influence with the municipal boards, and manage to evade carrying out instructions and explain shortcomings. A supervising mechanical engineer whose sole business it is to look into the efficiency of the plant can keep a constant and restraining watch over the superintendents. They know he cannot be hoodwinked, and breakdowns will thus be avoided. He watches consumption of coal, the vacuum, condensers, economizers, the steam pipes, the slip on the pumps, and the work turned out in the workshops. I do not think that any one will deny that all the work done by him so far has been entirely satisfactory and even the Hon'ble Minister of Local Self-Government will bear me out on this point. As regards projects, I had already given you the number of projects that are to be prepared. If there will be no Sanitary Engineering department, I want to know who is going to prepare them. I have no objection to reducing the department to the minimum, but I want to know who is going to do all this work. If the work can be decreased I have no objection to cut the staff. As regards the Naini Tal hydro-electric scheme, the original estimate was 4 lakhs. But that estimate was really for a partial scheme. It was to give light to the Government House, some on the main roads by the side of the lake, the Club, and some other main buildings. The complete scheme was estimated originally to cost 1

[Mr. A. C. Verrières.]

lakhs, very nearly 12 lakhs. For the purpose of this scheme the plant was purchased during the war when prices were soaring—nobody could help that. That is really the cause of the whole trouble. Now, I do not think that I have any other criticisms to answer, and I consider that any reduction of expenditure in the Sanitary Engineering department, the estimate of which is already as low as possible, is to be deprecated.

The Hon'ble Rai Rajeshwar Bali: I would refer to only one point which has been raised by my honourable friend Mr. Mohan Lal Saksena. It is that the Government compels these municipal boards to employ the agency of the Public Health department. Sir, this matter has been receiving our attention for some time and we are already considering how far we can meet the grievance of municipal boards. The rules are at present under consideration and I hope that it will be possible to come to a decision very soon.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: As far as the case of these engineers advising municipal boards is concerned, my honourable colleague has replied, but I would like to say a few words on two points. One point was about the successor of Mr. Platt that was raised by my honourable friend coming from Pilibhit. I wish to assure him that the case has come to me only yesterday and if we appoint any successor the claims of all the Indian candidates will be thoroughly considered. The other point was about boring. Fortunately a few days ago this point struck me myself and we have referred the matter to the Director of Agriculture. I have not yet received any reply from him. After getting his reply we are going to consider whether we can amalgamate our agricultural engineers because the work is very small as was just mentioned by Mr. Pant.

Mr. Mukandi Lal: Did you also find it boring?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: There are many matters which are boring, but we cannot mention them in this House.

The motion was put and the Council divided as below:—

Ayes (29).

Babu Mohan Lal Saksena.
Babu Damodar Das.
Babu Bhagwati Sahai Bedar.
Thakur Manjit Singh Rathor.
2nd-Lieut. Chaudhri Balwant Singh.
Pandit Nanak Chand.
Thakur Shib Narayan Singh.
Babu Nemi Saran.
Chaudhri Padan Singh.
Thakur Sadho Singh.
Pandit Brijnandan Prasad Misra.
Thakur Har Prasad Singh.
Lieut. Raja Durga Narayan Singh.
Pandit Sri Krishna Dutt Paliwal.
Babu Parsidh Narayan Anad.

Pandit Yajna Narayan Upadhya.
Rai Bahadur Thakur Hanuman Singh.
Pandit Govind Ballabh Pant.
Pandit Hargovind Pant.
Mr. Mukandi Lal.
Babu Ram Chandra Sinha.
Dr. Jaikaran Nath Misra.
Thakur Hukum Singh.
Mr. Zahur Ahmad.
Dr. Muhammad Naim Ansari.
Maulvi Zahur-ud-din.
Hafiz Hidayat Husain.
Raja Saiyid Ahmad Ali Khan Alvi.
Dr. Ganesh Prasad.

Noes (46).

The Hon'ble Mr. S. P. O'Donnell.
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.
The Hon'ble Rai Rajeshwar Bali.
Mr. G. B. Lambert.
Mr. E. A. H. Blunt.
Kunwar Jagdish Prasad.
Mr. G. B. F. Muir.
A. C. Verrières.

Mr. C. E. D. Peters.
Mr. J. R. W. Bennett.
Mr. S. H. Fremantle.
Mr. R. Burn.
Mr. B. J. K. Hallows.
Mr. C. M. King.
Lieut.-Col. J. E. Clements.
Mr. A. D. Ashdown.

Noes (46).

Colonel A. W. R. Cochrane.
 Mr. A. H. Mackenzie.
 Mr. G. Clarke.
 Raja Muhammad Ejaz Rasul Khan.
 Raja Bahadur Brij Narayan Rai.
 Mr. H. David.
 Babu Khem Chand.
 Chaudhri Jaswant Singh.
 Lala Babu Lal.
 Rai Bahadur Babu Ram Nath Bhargava.
 Rai Amba Prasad Sahib.
 Lala Dhakan Lal.
 Lieut. Raja Bahadur Hukum Tej Pratap Singh.
 Babu Dip Narayan Roy.
 Bhaya Hanumat Prasad Singh.

Pandit Baijnath Misra.
 Kunwar Rajendra Singh.
 Rai Bahadur Thakur Mashal Singh.
 Kunwar Surendra Pratap Sahi.
 Mr. Muhammad Aslam Saifi.
 Rao Abdul Hamid Khan.
 Khan Bahadur Chaudhri Amir Hasan Khan.
 Maulvi Muhammad Obaid-ur-Rahman Khan.
 Nawab Muhammad Yusuf.
 Saiyid Muhammad Ashiq Husain.
 Mr. Ashiq Husain Mirza.
 Khan Bahadur Munshi Siddiq Ahmad.
 Mr. St. George H. S. Jackson.
 Lala Mathura Prasad Mehrotra
 Lieut. Raja Shaikh Imtiaz Rasul Khan.

Motion negatived.

The Council then adjourned for lunch.

After the adjournment the Deputy President took the Chair.

Maulvi Muhammad Obaid-ur-Rahman Khan: I beg to move that the demand of Rs. 12,120 in respect of the item regarding temporary establishment at page 89 of the Detailed Estimates be reduced by Rs. 420.

The honourable members will find that on page 89 of the Detailed Estimates under the head "Establishment" there is a provision of Rs. 12,120 for temporary establishment. In 1924-25 they budgeted Rs. 11,700 under this head but in the present budget they have provided Rs. 12,120 for this purpose. I have come to know only this morning that it is due to the pay of some servants, but I have only to say in this connection that by going through the budget one can never find out what this increase is due to or whether it is due to the increment in pay. So I want to draw the attention of the Hon'ble the Finance Member to the fact that the budget should be prepared in such a way that we should be able to ascertain ourselves by seeing the budget to what a particular increase is due.

Mr. E. A. H. Blunt: It is the second time that the honourable member has made this remark since this morning. On the last occasion he did not understand why there was an increase in the customs duty. I imagine the majority of the House are aware that the amount of customs duty depends upon the amount of stores imported from foreign countries. If I were to frame a budget so as to explain every single digit, the memorandum will not be a question of 80 pages; it will be an encyclopedia or even two encyclopedias. The budget is framed in such a way as to be understood by the majority of the House and I think that on the whole the budget is understood by the majority of the House. I cannot undertake to make the budget intelligible to absolutely everybody. I can only supply facts; I cannot supply the brains to understand them.

Maulvi Muhammad Obaid-ur-Rahman Khan: I think every member of this House can claim that the budget should be framed in such a way that he might be able to understand it.

Babu Mohan Lal Saksena: The Hon'ble the Finance Secretary has said that he cannot supply brains. Is he in order to say that?

Mr. E. A. H. Blunt: I simply stated a fact.

The motion was put and the Council divided as below :—

Ayes (35).

Babu Mohan Lal Saksena.
Thakur Manjit Singh Rathor.
Rai Jagdish Prasad Sahib.
Pandit Nanak Chand.
Lala Babu Lal.
Rai Amba Prasad Sahib.
Babu Nemi Saran.
Chaudhri Badan Singh.
Thakur Sadho Singh.
Thakur Har Prasad Singh.
Lieut. Raja Durga Narayan Singh.
Babu Parsidh Narayan Anad.
Rai Bahadur Thakur Hanuman Singh.
Pandit Baijnath Misra.
Pandit Govind Ballabh Pant.
Pandit Hargovind Pant.
Mr. Mukandi Lal
Babu Ram Ghandra Sinha.

Kunwar Rajendra Singh.
Rai Bahadur Thakur Mashal Singh.
Kunwar Surendra Pratap Sahi.
Mr. Zahur Ahmad.
Mr. Muhammad Aslam Saifi.
Maulvi Zahur-ud-udin.
Khan Bahadur Chaudhri Amir Hasan Khan.
Maulvi Muhammad Obaid-ur-Rahman Khan.
Hafiz Hidayat Husain.
Nawab Muhammad Yusuf.
Saiyid Muhammad Ashiq Husain.
Khan Bahadur Maulvi Fasih-ud-din.
Mr. Ashiq Husain Mirza.
Khan Bahadur Munshi Siddiq Ahmad.
Raja Saiyid Ahmad Ali Khan Alvi.
Lala Mathura Prasad Mehrotra.
Raja Jagannath Bakhsh Singh.

Noes (19).

The Hon'ble Mr S. P. O'Donnell.
The Hon'ble Lieut. Nawab Muhammad
Ahmad Sa'id Khan.
The Hon'ble Rai Rajeshwar Bali.
Mr. G. B. Lambert.
Mr. E. A. H. Blunt.
Kunwar Jagdish Prasad.
Mr. G. B. F. Muir.
Mr. A. C. Verrières.
Mr. C. E. D. Peters

Mr. J. R. W. Bennett.
Mr. R. Burn.
Mr. B. J. K. Hollowes.
Mr. C. M. King.
Mr. A. D. Ashdown.
Colonel A. W. R. Cochrane.
Mr. A. H. Mackenzie.
Mr. G. Clarke.
Mr. H. David.
Babu Khem Chand.

Motion agreed to.

Hafiz Hidayat Husain : I beg to move that the demand of Rs. 3,44,310 in respect of the item regarding total, Public Health establishment, at page 89 of the Detailed Estimates be reduced by Rs. 12,000.

I want to attack one particular item here and that is in connection with the personal assistant to the superintending engineer. He is, I suppose, paid remuneration in the vicinity of the amount for which I have asked for this cut. To my mind the personal assistant of the superintending engineer is absolutely a sinecure. All the deputy chief engineers who are superior in grade to the superintending engineer of the Public Health department have got no personal assistant; while a personal assistant is given to the superintending engineer in the Public Health department. My reason for asking for this cut is that most of the local boards now have their work done by private agency and consequently there is less work for the Public Health department to do. As a result Lucknow division has been proposed to be abolished and Cawnpore Well-boring division is proposed to be reduced to a sub-division. In consequence of this there is also curtailment in establishment and great reduction in supervision. Further, I think that compared to last year the travelling allowance has been considerably reduced and consequently the superintending engineer will be confined more or less to the headquarters and he can very easily look after the establishment. The present incumbent of the post of personal assistant is also a junior man and when we consider that owing to the Public Works department Reorganization Scheme senior people have had to go away, I do not

think that the Government will be incurring any odium if the services of this gentleman are also dispensed with. Mr. Platt was the officiating superintending engineer during the last hot weather and he felt, I surmise, that there was not much to do in the Public Health department and consequently he wanted to take over the work from the Improvement Trusts under his own supervision. This was simply because there was less work. If there is less work in the department and if the district boards have been given larger powers to have their own work done by local agency, I do not think that it is at all necessary to have a man as personal assistant to the superintending engineer, particularly when we see that men of superior status, men who are deputy chief engineers, have not got any personal assistant with more work. The work of the superintending engineer in the Public Health department can very easily be done by computers, draftsmen and executive engineers in the same way as the work of deputy chief engineers. Consequently I see absolutely no reason why the personal assistant should be retained in this department at all.

Mr. Mukandi Lal: We (the swarajists) have monopolized most of the time this morning and if we are taking more time this afternoon—by “we” I mean members on these benches—it is because we are so much interested in the welfare of the people who are our stake—every one has got a stake in the country. There are people who count their stake in the country in pounds and shillings; we count our stake in the country in human lives. To us every child who dies—and the number of such deaths is very large—is a potential patriot, is a potential servant of humanity; nay, every child has got in him the God himself whom I call the Providence himself. Therefore it is not surprising that we are scrutinizing every item of the budget under Public Health. Government has got to render an account to us as to how many human lives they have saved, what measures they have taken to prevent the wastage of human life and for this the one criterion is the records that the Government keep. In their report the Government have admitted that the registration of births and deaths is underrated. As a matter of fact the Government admits that it is underrated by eight per cent. I personally think that this underrating goes higher than eight per cent. However, whatever figures we do have, on those figures we have to see how far the Public Health department is justified in coming before us for more money. I, therefore, move that the demand of Rs. 3,44,310 in respect of the item regarding 33-A—Public Health establishment (General) at page 87 of the Detailed Estimates be reduced by Rs. 99. By moving this motion I desire to criticize the Public Health department in general and that is why I sent notice of this token amendment. This will also open the way to other speakers who wish to criticize the Public Health department in general.

In this very city of Lucknow, the capital of these provinces, 102 mothers died in 1923 in childbirth. Imagine that in this city of Lucknow, which is the headquarters of this province and which is the headquarters of the Public Health department, 102 mothers died in childbirth. This figure is the highest in the whole province. The next highest figure comes from Benares where it is 69. Coming to infant mortality, the infant mortality in the city of Cawnpore is the highest, I think it is 495·17; Lucknow is another town where the death

[Mr. Mukandi Lal.]

rate of infants is very high. When we take figures for the urban population we find that out of one thousand children born 269·91 die in cities, whereas in the rural population the death-rate of infants is 160·77. Now, the question arises as to why death-rate is comparatively low in the rural population and so high in the urban area. For that I expect an answer from the Government. Naturally we expect that there would be more sanitation and more education in towns and therefore the death-rate of children should be less in towns. In the rural areas the people are uneducated, and their sanitary habits are in a crude state, still the death-rate in rural areas is lower than in the cities. It might be urged that there is an industrial population in some towns, but I submit that with the exception of Cawnpore and Gorakhpur we have hardly any industrial town which can be compared with the industrial towns of Calcutta and Bombay. Therefore there is no justification for this high rate of mortality in our cities.

Then comes the other question of death-rate in general. My mistake was rightly pointed out yesterday when I said that the death-rate in our province was the highest in India. 39·57. That figure is correct according to the census report of 1921. Now happily in 1923 this death-rate went down to 23. The Public Health department is to be congratulated that the death-rate has decreased so much, but still our death-rate stands at a very high figure. As I pointed out, the death-rate in Madras in 1921 was only 20·1 and I should not be surprised that as it has decreased in our province it might have gone still further down in the Madras Presidency. I do not therefore think that our Government can say with great pride that the death-rate in this province has gone far below other provinces. If we take the figures for the last fifteen years we find that our death-rate is 45 per 1,000; therefore we say that the death-rate in this province is going higher and higher though in 1923 the figure is low. I hope the Public Health department will retain this low figure and make it lower and lower. We have been told by the Hon'ble Minister for Education and Local Self-Government that he has three schemes in mind, namely he takes three steps for the prevention of casualties—casualties which may be prevented by human agency. His steps are first scheme, and second agencies he proposed to employ or has been employing for the prevention of casualties and third education. First I will take the question of education, of inculcating better sanitary ideas, better habits of sanitation. The department of Public Health is going to print pamphlets with a view to educate people in sanitary matters. Now, when we have been told that literacy in our province is 2 per cent., well, it is obvious that we cannot educate the people through pamphlets. What I suggest is this—by means of lectures with diagrams and pictures you can show the improved sanitary ways of living and looking after it or bringing up of children—that is a great science which is practised in Western countries. I find, to our great regret, that in our country the bringing up of children is most defective on the face of the earth. Therefore it is by demonstration of lantern lectures by lectures with diagrams that the Public Health department can teach people how to bring up children and practise better sanitary methods. Another method is by way of the cinema. Through it people will be entertained and see how the various methods of sanitation as regards town or village can be adopted.

As regards agency you have seen that we have criticized it on this ground that you pay more for inspectors, engineers and for people who bore wells and do other work than you spend on real rural sanitation. We want men to teach the people but at the same time we have to see whether we are spending more on inspecting staff than on the people themselves. Then comes the questions of scheme. What scheme are you going to have? Is it such that will be adopted by the people? The scheme that you propose to propound, is it in conformity with the life of the people of the villages? The last point I wish to urge is that when we are launching new schemes we must take into consideration the poverty of the people, the circumstances in which they live, and the villages where they live, the huts in which they dwell—these are the things we must take into consideration when we are preparing a scheme of Public Health. So that the new sanitary methods may be adaptable to the people and be in conformity with the rural and urban life of the people.

Dr. Ganesh Prasad: I am sorry that I cannot congratulate the Hon'ble the Minister in charge of Public Health on the activities of the department of Public Health during the current financial year. Whether the sad state of affairs in that department is due to some inherent defect of his or because of the domination of my friend and colleague Mr. Muir and Colonel Dunn I will leave it to the House to find out. But I must say that the speech which the Hon'ble Minister delivered in presenting the budget did not satisfy me, and, I think, did not satisfy most of us on this side. Sir, the picture that I can draw here in the very short space of time at my disposal will be very harrowing indeed, the picture will be especially harrowing to my friends who are denizens of Lucknow, the taluqdars of Oudh. I do not propose to take exactly the same line as I took on the 15th of March, 1924, but situated as we non-officials are, we cannot but repeat over and over again our complaints against the Government. I propose to invite the attention of this House to the prevalence of preventable diseases in the divisions of Benares and Lucknow. The population of the Benares division has been going down and down and down during the last thirty-five years. I think that no one is likely to challenge my statement. I have the figures here and shall be very willing to state the figures. In the Benares division we had in the census of 1891, 4,980,000 people. In the census of 1901 we had 4,706,000 people, in the census of 1911 we had 4,451,000 and in the census of 1921 we had 4,443,000. If you consider the normal increase to be about at least one per cent. per year you would find that by this time the population of Benares division could very well have been nearer 70 than 60 lakhs. Instead of that we have only 44 lakhs. You can very well imagine the tremendous waste of lives because of preventable diseases. I am not going to be unduly pessimistic but if this sad state of affairs continues, we here, the Indians of India, might very well be in course of time like the Red Indians of America—a people who had practically disappeared from the face of the earth.

Coming now to the Lucknow division, I have it that the population of Lucknow division, in 1901 was 5,977,000, in the census of 1911 it was 5,911,000 and in the census of 1921 it was 5,567,000—a continuous decrease. I ask the members of the I. C. S.—I know very well, Sir, what little authority the Minister possesses if that is a state of affairs on which they can congratulate themselves; can they appear

[Dr. Ganesh Prasad.]

before the bar of the civilized world and say: "Look here, under our control, under our supervision the population of some of the most highly civilized places in India has been going down and down and down?" Lest it might be said that all this is simply because mortality in the rural areas is large, I invite attention to three of the most important cities of these provinces—Benares, Allahabad and Lucknow. Many of my friends may very well think that Lucknow which, according to one of my friends, Mr. Mukandi Lal, is the capital of the United Provinces, ought to rise higher and higher in population, but what is the actual state of Lucknow? The population is going down and down and down. The same is the case with Benares and the same is the case with Allahabad. The seat of the Government for about six months of the year is going downhill in the matter of population and here also I will give some figures. We have got, in the case of Lucknow, the present population about 240,566. The decrease after 10 years, that is from 1891 to 1901, was 3·3 per cent., after 10 years later, that is after the decade 1901—1911 the decrease was 1·7 and after 10 years more the decrease was 4·6. Here, again, you can easily imagine that the population of Lucknow could at this time very well have been about four lakhs but instead of that it is less than two and a half lakhs. In the case of Benares it is the same tale and in the case of Allahabad it is the same tale. Each of these big cities has at present an average mortality of about 45 per thousand—a mortality obtaining in no other big city in the civilized world—specially western Europe. I ask my friends here who are the leaders of light in these provinces: "Can you congratulate yourselves on this state of affairs?" There are our kith and kin who are dying out—they are the people of Lucknow, of Benares, of Allahabad. (Mr. David—what about Ballia?) Although Mr. Blunt, who does not like Mr. David's singing the same song on every occasion, is not here, I would not like to sing the same song as I sang last year and therefore I leave Ballia to take care of itself. When great cities like Lucknow, Allahabad and Benares are dwindling down in population I may leave Ballia with a small population of 18,000 to take care of itself. Sir, I suggested last year in a very humble manner, because, as everybody knows, I know very little of medicine,—I suggested, quoting the opinion of a very distinguished medical man, Colonel Megaw, that a strong committee should be appointed to consider the unhealthy state of these provinces. Now, the question is:—Has my friend the Hon'ble Minister of Public Health appointed a committee of that kind? I should like to know from him just now whether he was right in saying that the committee that he has appointed is to look into the question of the district health scheme or is it to look into any other question.

The Hon'ble Rai Rajeshwar Bali: To devise schemes for rural sanitation.

Dr. Ganesh Prasad: I take it, Sir, that it is to consider the district health scheme.

The Hon'ble Rai Rajeshwar Bali: They may consider any other scheme in its place.

Dr. Ganesh Prasad: Knowing rule 126 I would not like to make any reference to the proceedings of the Finance Committee, but, with the indulgence which the Hon'ble the President gave to the Hon'ble

Minister of Public Health in my mind, I may just make mention of this, that in the Finance Committee we made it perfectly clear—I have got here the proceedings of the Finance Committee for the 8th and 9th January, 1925—that we wanted a committee to go fully into the question of the improvement of the unhealthy state of the provinces in general. If I refused to sit on the committee that has been appointed by the Hon'ble Minister for Public Health it was simply because of this, that I knew—I say it with due deference to the members of the committee—that that committee would not go far enough and I wanted that there should be a strong committee to look into the deplorable state of things in these provinces. It is not a question as to whether any particular little scheme involving Rs. 50,000 a year should meet with our approval or not. The question is: How will you improve the deplorable state of affairs described by me? The state of affairs is obviously deplorable. It may not be deplorable in the eyes of Mr. Muir who has got his native place thousands of miles away and who will probably after about 20 years go and spend his time there; but it is deplorable, extremely deplorable, to all of us, Indians, when we find that our own kith and kin are slowly dying out.

The next question is: what are the ways and means? We are always told very beautifully: if you want to improve anything you must have an agency; and if you want to have that agency, it must be trained and if you want to train that agency that must be by very, very costly specialists—not exactly of the calibre of Pasteur or Virchow, but rather third or fourth-rate Pasteurs and Virchows, who should be paid salaries which Pasteur and Virchow never dreamt of. Over and above that, it is desired—I am glad to give credit to Mr. Muir that he did not end his speech with that little note—that these gentlemen should be housed in palaces. I am grateful to Mr. Muir for his not having insisted on palaces being provided for the training of the agency. But our experts say that they should be provided with accommodation, not at all in huts, but in palaces. If this state of affairs is to continue, you can very well imagine how with our little income of about one-hundredth of the income of the average Britisher it is possible for us to have any kind of help from the Government which is worth talking about. I cannot really imagine that anyone can come to us with a proposition like this—you must spend a crore before 10,000 of your countrymen can be saved from the jaws of malaria; you must spend 20 lakhs before 1,000 men can be saved from the ravages of plague and tuberculosis. That is a proposition, Sir, which has only to be made to be ridiculed. Then the question arises: what is to be done? On that point I will have my say on the 1st April next when I will move my resolution on the Reforms Inquiry Committee's report. We know very well that the Government policy in this matter of public health is very old. The policy was formulated about 100 years ago and it has been continued by various gentlemen, the predecessors of Mr. Muir, and will perhaps be continued by his successors. I am a very plain-spoken man, I am an independent man, I do not belong to any particular party and I do not care very much, I may say with due respect, for the frowns or favours of any gentleman here. But I owe it to myself as a duty to my country to make it perfectly clear, that we are utterly dissatisfied with the state of affairs in these provinces so far as public health is concerned.

[Dr. Ganesh Prasad.]

Khan Bahadur Maulvi Fasih-ud-din : I had absolutely no idea of making any speech on this motion, but after hearing the speech of Dr. Ganesh Prasad I cannot resist making a few remarks. We Mussalmans are fatalists and for that reason we think that the department of Public Health does not exist so much for preventing deaths as for alleviation of human misery. The department of Public Health has got, in my opinion, many loopholes, many drawbacks and many more things which it does not do, but which it ought to do. But a general denunciation of that department is, I think, rather uncharitable. In my opinion the department has very much increased its activities since the introduction of the Reforms, since it has come under the fostering care of the Ministers. Now we can say with pride, that we deserve to get provincial autonomy on the ground that this one transferred department at least has done its best to do what it should do. I confess that it has not been able to put up very great struggle against epidemics. But it has established a very good institution of health officers and sanitary engineers. It has also established a publicity campaign and a hygienic institute. To expect that it should check the deaths that occur in the province is just the same as to expect that it should prevent all the meteors that come down from the sky.

Mr. A. C. Verrières : Mr. Hafiz Hidayat Husain has made a few remarks about the establishment of the Public Health department; particularly he has made a few observations against the personal assistant to the sanitary engineer. He says that a great deal of the work of the department is being done by outside agency; that there is less work and therefore there ought to be less supervision; and that the travelling allowance should be curtailed. I want to make it clear that the Superintending Engineer of Public Health is one of the hardest worked officers of the Public Health department. The expenditure of his department is, as you know, about 35 lakhs, or probably 40 lakhs. He is frequently in camp for protracted periods, and there must be somebody in his office who is conversant with the schemes in progress and the general administration of the department. The Personal Assistant has to meet the Chairmen of municipal boards and others who may make inquiries about schemes, and also to deal with cases received from the Board of Public Health, and to supervise generally the office staff during his absence. I wish to assure honourable members that the work in the office of the superintending engineer, Public Health department, is extremely heavy, and really he does require a personal assistant. The work of the superintending engineer, Public Health department, is considerably heavier than the work of a superintending engineer in the Public Works department. As regards his travelling allowance, these are the details: The sanitary engineer himself has Rs. 9,300. This covers his own travelling allowance, the travelling allowance of his camp clerk, the mechanical engineer, and of any officer of the subordinate mechanical engineering staff who has to help in the testing of engines in the various stations. Last year I believe the amount was Rs. 15,000. We have reduced it to Rs. 9,300. As regards the first sanitary division the amount is Rs. 8,000. There are attached to this division, I believe, three assistants. This Rs. 8,000 includes the travelling allowance not only of the executive engineer himself but also of the assistants and also of any subordinates connected with the division. The same may be said for

the second division, and the third division and the boring division. The Lucknow division, as the honourable member observes, may be abolished. It has not yet been abolished. We hope to be able to abolish it, that is all I can say. The Boring department will certainly be reduced to a sub-division, I hope, during this year. The personal assistant, the honourable member observes, is a junior man, and may be well done away with. We have not many assistant engineers now in the Public Health department, and I am sure if the honourable member thinks of this he will withdraw his motion.

The Hon'ble Rai Rajeshwar Bali : I have heard with great attention the very eloquent speech of my honourable friend, the member for the Allahabad University. I am afraid that in denouncing the Public Health department he has brought in many facts which, though correct to a certain extent in themselves, may not be very relevant to today's discussion. He denounces us chiefly because we have not been able to bring down the figures of mortality in these provinces by any considerable extent. This opens, indeed, a big question, probably more than of mere provincial importance and relating perhaps to more than next year's budget. I am, therefore, constrained to say that that is not the point before us today. I have presented to the Council the demands for things which are practicable within the next year, and it is from that point of view of practicability that the Council should look at them. I do not know how references to Mr. Muir or his predecessors or successors are at all relevant in this discussion.

Dr. Ganesh Prasad : Hear, hear.

The Hon'ble Rai Rajeshwar Bali : The bigger question is mainly a question of funds ; and if we have not been able to get enough funds, I would ask the honourable member, who as a member of the Legislative Council, cannot be absolved of all responsibility what steps he has taken to supply us with them.

[A voice :—"That is not our work."]

It is certainly for this honourable House either to vote for more funds or to make cuts in order that more money may be available to us.

Dr. Ganesh Prasad : This is the only occasion which we have to express our grievances against the Public Health department and I have taken this opportunity to have my say. That is all.

The Hon'ble Rai Rajeshwar Bali : I am grateful to the honourable member for making this statement ; for if we analyse it then it comes to this that his grievances are not against the working of the Public Health department as such but against its not being provided with enough funds. If we were provided with money but did not know how to spend it to the best advantage, then of course the criticism of the honourable member would have been perfectly justified. But as a matter of fact it is the paucity of funds that has always been crippling our activities. We have got our schemes ready with regard to all these epidemics. Provide us with money and we can spend it tomorrow in meeting malaria, cholera and other epidemics. I would go further and draw the attention of the House to the fact that wherever we have got money we have been

[Dr. Ganesh Prasad.]

able to accomplish something. Take for instance small-pox. Here we have got a well organized agency, here we have been able to get all the support that we could wish for and the figures for small pox have been brought down to almost nothing.

Pandit Baijnath Misra : May I know when this small-pox agency was organized ?

The Hon'ble Rai Rajeshwar Bali : Well, I do not know the exact year, but I think it has been there for a long long number of years. It will be admitted that previous to the organization of this agency there used to be more than a lakh of deaths every year due to small-pox, but now the average of the past five year is 01.

Babu Mohan Lal Saksena : What is the total number of deaths ?

The Hon'ble Rai Rajeshwar Bali : The annual average is, I think, between 300 and 400 for the whole province. The average for the last five years is less than 400.

Dr. Ganesh Prasad : Does the Hon'ble Minister know that small-pox is everywhere in India the least destructive of epidemics now ?

The Hon'ble Rai Rajeshwar Bali : It is so now, but it was not so previous to the organization of this agency. The point I wish to make is that if we have got good organization, if we have got the money for carrying out schemes, we can easily bring down mortality from epidemics. I may point out with regard to cholera that there too we have been partially successful. The mean for the five years before 1921 was about 80,000 deaths a year ; but we have been able to bring it down in the years 1922 and 1923 to less than 5,000 deaths a year, and last year, which was an exceptionally bad year for it, it did not exceed 50,000. Then as regards malaria, our anti-malarial campaigns in Saharanpur, Nagina and Kosi have resulted in a very appreciable decrease in the mortality due to it in those places. These measures, we know, are very expensive, but if funds are provided for carrying them on at Moradabad, Bareilly and other places, the mortality from malaria can be very easily brought down. In Panama they spent millions and millions before they were able to bring about the desired results.

We are further trying to educate the people by means of lantern lectures, by means of cinema demonstrations and by means of leaflets and pamphlets, etc. But there much depends on the support that we get from the public. If the agency was to be confined to the department alone it is sure to be a very expensive agency. Unless educated people join with us in supplementing our efforts in educating the public on the new methods of sanitation and in removing the evils of some vicious social habits, we cannot accomplish very much.

Dr. Ganesh Prasad : Question.

The Hon'ble Rai Rajeshwar Bali : Social customs like early marriage that injurious and unhealthy methods of life are to no small extent responsible for many disasters, particularly infantile mortality ; and the blame for them cannot be laid at the door of the Public Health department alone.

Babu Bhagwati Sahai Bedar : And not due to the vicious system of the Government ?

The Deputy President: This is not the proper time for the honourable members for putting questions. If they have got to make any remarks they should take notes on the points and speak when their turn comes.

The Hon'ble Rai Rajeshwar Bali : Therefore, I think it is unfair to lay all the responsibility on our shoulders alone. There are social practices which have to be stopped. There are insanitary habits and conditions of life which are to be reformed. And adequate funds have to be provided before any appreciable decrease in mortality can be affected. So far as I am concerned I am quite ready to give an account of the money that I have been able to get and to show that it has been and will be spent to the best advantage; and that we are doing our best within our limited means to carry on hygiene propaganda; but will the honourable member join hands?

Babu Mohan Lal Saksena: The gist of the Hon'ble Minister's speech is that whatever the power of the department may be, it has done everything in its power to do good to the public and that whatever was wanting was on account of this House having not voted more money. I ask the Honble Minister: Did he come forward with greater demands for public health and did we refuse them? I think at the very outset of the discussion today my honourable friend Pandit Govind Ballabh Pant pointed out that we want more money to be spent in this department. He said that what we want is that the money which is given to this department should be spent to the best advantage and should not be wasted. We must have the fullest use of every pie, every farthing, that is spent in this department. The Hon'ble Minister says that there is a paucity of funds. I submit that it is not the duty of the members of this House to point out the sources from which he is to find out money. If he cannot find it out, let him come over here and vacate the opposite benches, and then it will be the duty of other benches to find money. He has said that it is on account of social habits and on account of the customs prevalent in India that the death-rate has increased. Again, he has said that more money has not been provided to this department and therefore the rate of mortality is increasing. I would refer the Hon'ble Minister to the fact that before 1921 this department used to get as much as Rs. 28 lakhs and odd, and with what result? I will refer him to the figures which I have got for the last ten years. It will be seen from these figures that the United Provinces had the lowest rate of mortality in 1912 and had the highest rate of mortality in 1921 after so much expenditure. In 1912 the rate of mortality in the United Provinces was 29.91 and the highest rate for that year was 42.34 in the Central Provinces, then in 1913 in the United Provinces the death-rate was 38.4, and in 1921 it increased to 39.57. In Bombay it has come down from 31.8 to 26, and in the Central Provinces it has slightly gone up from 42.34 to 44.01. The Honble Minister will, therefore, see that there has been an increase in the death-rate to the extent of ten per thousand of population in these provinces in spite of the amount which was lavishly spent on this department year after year. The Hon'ble Minister stated that it was on account of the paucity of funds that this state of affairs continues. In this connection my humble submission is that the department is not trying to find out the real causes of mortality. The Hon'ble Minister remarked that there were four epidemics with which the Public Health department

[Babu Mohan Lal Saksena.]

was fighting, but I should like to tell him that there is yet another demon, which is the father of all these epidemics, I mean starvation, the poverty of the people, which is mainly responsible for the high rate of mortality. I think it was Sir William Digby who said that in India fever is an euphemism for insufficient food, scanty clothing, and unfit dwellings. I would ask the Hon'ble Minister as to what he has done in these directions. Have the people been provided with better means of subsistence? Have they got better facilities for covering their bodies and protecting themselves from exposure to weather? Have they got better arrangements for housing? Instead of having a costly Hygiene Institute at Lucknow, the department ought to construct model huts in villages and try to solve the acute problem of unemployment. As it is, millions of people do not know the pleasure of a second meal from one end of the year to the other, and unless the problem of poverty in these provinces is solved and unless people have more power of resistance against diseases, this high rate of mortality can never be checked. The Hon'ble Minister has quoted the example of Panama, and said that the methods adopted there have reduced the mortality from epidemics to a considerable degree. He has conveniently omitted to mention the fact that the average income of a person there is a hundred times more than ours. I would, therefore, suggest to the Hon'ble Minister to adopt oriental methods to combat the epidemics. Let the department of Public Health first investigate the disinfecting qualities properties of things like cow-dung, tulsi, etc. Honourable members are aware that the plant of tulsi is considered sacred in every Hindu home. It is very efficacious in checking mosquito-breeding. The work done in the laboratory serves no useful purpose. It is no use wasting money on a campaign of that nature to fight against mosquitoes. So long as the country remains what it is, it will always be a breeding place for mosquitoes, which in their turn will spread malaria. The right step in this direction will be to remove the poverty of the people, and until this has been done, the miseries of the people cannot be alleviated.

Next, I should like to inquire if the Hon'ble Minister has ever visited the Malariological department at Bambasa. It is his duty to go there and see things for himself. Do the members of the Board of Public Health go there to inspect what these experts are after all doing? Are not they enjoying hunting parties and sending reports from there. Are they doing any solid work there? It is by having the practical experience of the working of the department and by finding out where is wastage of money that we can make full utility of this department and it will then be appreciated by the public. As I said in my previous speech, the Health department can manage for a cheaper supply of pure milk and other things. The Health department can manage for a pure supply of water in villages. The Health department can fight out the problem of poverty, but any amount of bulletins, any amount of discussions, and any amount of magic lantern lectures will be of no avail. I hope the Hon'ble Minister must have the experience that old people do not fall victims so frequently to these epidemics as young ones do. It is because the young people have not got the power of resistance left in them for want of proper nourishment as the old people have had. People do not get butter or fat, and still you think that they should be able to resist the onslaughts of these diseases. I hope the Hon'ble

Minister who very well appreciates the hygienic principles will try to appreciate also the difficulties of the people on account of poverty. He will just make a move in that direction, and I would request him to take that matter into consideration.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I ask the indulgence of the House to allow me to say a few words on this matter. The reduction was moved by my friend Hafiz Hidayat Husain, and was a most innocent thing. It was about an assistant to the Superintending Engineer, Public Health department, but my friend the honourable member for the Allahabad University has introduced heat into it and it has become a different question now. The department has been denounced because the rate of mortality is very high, and it has not succeeded the bringing it down. My friend Mr. Saksena in supporting the reduction has used nearly all those arguments that I wanted to use in opposing it. I entirely agree with him that one of the causes of the increased rate of mortality is our poverty and the lack of power of resistance. But what has the Public Health department got to do with the general poverty of the country? It is true that the housing problem is a very great problem. It is true that people are very poor. They are ill-fed and ill-clad, but how can the Public Health department be held responsible for it? We feel very pessimistic when we compare our condition with that prevailing in European countries. But I will ask honourable members to take this fact also into consideration that England has almost as much population as our own. The area is much less than the area of this province. Still the annual income per head and the tax collected by the Government is much higher than what we have here. How is it possible for you to arrange things on the same lines and to be able to cope with the difficulties as they do in England. The question here is whether this department is trying to do something according to its means for the benefit and for the health of the people. Take the housing problem. It will require any amount of money to house these poor people in better houses. Then there is another difficulty in our way. If we try to house people in new houses, the measures will be very unpopular. People would say that they did not want these new houses; that they did not want that their old houses should be demolished. These difficulties have actually arisen in those cities where Improvement Trusts are working. There is another difficulty as well. Whether you blame us or whether you blame Providence, but unfortunately the fact is that many of our people are ignorant and illiterate. If there is an epidemic raging in one city, they take away their sick to other towns and so they go on spreading plague and epidemic from one place to another. How can Government possibly stop these things? Government tried once—I do not remember the particular year—to stop these, with the result that there were many riots and people resented the steps taken by the Government very much on those occasions. I know that my colleague in the transferred departments does not in the least resent criticism that comes from the honourable members of this House. Rather it is a guiding light for us to work by. Our department will remember that their actions were criticized for doing something or for not doing something, and they will try their utmost to fulfil the desires of the honourable members of this House. My honourable colleague just now told me that he had not the

[The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.]

least objection to appointing a committee, and that he would try to go into the problem of increase in mortality.

Dr. Ganesh Prasad : May I put a question to the Hon'ble Nawab Sahib ? Will this committee be a strong committee or will it only be a committee of non-experts, people who know a little of medicine and public health as can be found anywhere ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The strength of the committee can I think, be judged by the personnel and I would ask my colleague to include, if possible, the name of my honourable friend Doctor Sahib.

Dr. Ganesh Prasad : I am not an expert and I have already refused to sit on the committee.

Babu Bhagwati Sahai Bedar : Put in all the four doctors.

The Hon'ble Rai Rajeshwar Bali : I just want to say one or two words. My honourable friend Dr. Ganesh Prasad referred to the committee which we have appointed. Well, I had not seen the proceedings of the committee but I was told that the purpose for which it wanted the appointment of a committee was whether we were to continue to have these district health schemes or whether any better schemes could be devised for rural sanitation. I may be wrong, but that was my impression and having that end in view I appointed the committee and included in it Dr. Ganesh Prasad also. Since he has refused.

Dr. Ganesh Prasad : Refused for reasons stated.

The Hon'ble Rai Rajeshwar Bali : However if he wishes now that there should be another committee to go thoroughly into the methods for the improvement of urban and rural sanitation, I am quite ready to appoint one. I am always ready to receive any suggestions that may be made in this House or outside for the improvement of health and other such matters.

Dr. Ganesh Prasad : As the Hon'ble Minister has put a question to me as to....

Babu Bhagwati Sahai Bedar : I apply for closure.

The Deputy President : I accept the closure.

Hafiz Hidayat Husain : I beg to withdraw my motion.

Motion by leave withdrawn.

Mr. Muhammad Aslam Saifi : I move that the demand of Rs. 35,810 in respect of the item regarding contribution to district boards at page 90 of the Detailed Estimates be reduced by Rs. 10.

Q. My object is to find out why this amount is so little although it relates to the district health scheme which is now in operation in five districts. My private information is that it only relates to two districts although this scheme is in operation in five districts. I am sure that this small amount will certainly not cover the expenditure required for the five districts in which the scheme is already in working order.

The Hon'ble Rai Rajeshwar Bali : I may point out that there has been some mistake. The honourable member is correct in stating that this refers only to two district organizations only, Gorakhpur and Basti. The provision for Azamgarh, Fyzabad, and Gonda has by mistake been left out and for that I shall come before the House with a supplementary estimate very soon.

Motion by leave withdrawn.

Maulvi Muhammad Obaid-ur-Rahman Khan : I beg to move that the demand of Rs. 29,029 in respect of the item regarding grant to the King Edward Sanatorium at Bhowali at page 90 of the Detailed Estimates be reduced by Rs. 100.

By moving this motion what I want to do is to draw the attention of the Hon'ble Minister to the requirements of the King Edward Sanatorium at Bhowali. It is the only sanatorium in the province for tuberculosis patients. In these days unfortunately this disease is increasing every day and the number affected by this is becoming larger and larger every year. There is no room for patients at Bhowali. I know that many patients are disappointed when they apply for room and it is refused to them. It is very necessary and an act of humanity to help the sanatorium as much as one can. Last time when we met at Bhowali it was resolved that there should be modern improvements which are very necessary for the treatment of patients. But the question of money is preventing us from making modern improvements in that sanatorium. We decided to request His Excellency to preside over a meeting and issue an appeal to the public at large to subscribe for the necessities of the institution, but unfortunately we were not successful, as the leprosy relief movement came in our way. I think it is the foremost duty of the Government to help the poor patients as much as it can and it is the duty of the Public Health department to provide as many facilities for the treatment of these helpless patients as may be possible. The grant provided for the sanatorium is quite insufficient and I request the Hon'ble Minister to see his way to provide as much as he can. I hope the honourable members of this House will give their whole-hearted support to my proposal.

Lala Mathura Prasad Mehrotra : I rise to support the motion of my friend on my left, Maulvi Obaid-ur-Rahman Khan. In fact he has anticipated me. I have also given notice of a motion and wanted to speak upon the same subject, but it is a bit differently worded and so I will speak to this motion. It is very strange that for the last three or four years a sum of Rs. 29,000 is debited in the budget and passed by this Council, but the Bhowali sanatorium gets only Rs. 17,000. When we pass a sum of Rs. 29,000 I see no reason why this sanatorium which stands badly in need of money should be deprived of a sum of Rs. 12,000. Questions were also put to this effect. This year also I find that the Government is pleased to debit a sum of Rs. 29,000. I hope that the Government is now sincere in its desire and will give the whole grant budgeted for 1924-25 and 1925-26. Money is badly required for the management block and unless we have a management block and rooms for the X-Ray department we cannot treat the patients properly and in modern methods as can be done through X-Rays. Then there are only 72 rooms in the whole of the sanatorium. It has already been pointed out that this is the only sanatorium in the province and we have been receiving

[Lala Mathura Prasad Mehrotra.]

more than 500 applications every year. Poor tuberculosis patients have to be disappointed every year. Sir, this is a disease which requires special attention because it kills a man very soon. As my friend has already pointed out, we have passed a resolution in a meeting at Bhowali to issue an appeal to the public in general to raise funds and then go to the Government for a special grant. A request was made to His Excellency to appoint a suitable date on which we could wait upon him. Unfortunately we have been disappointed on that side on account of the two appeals that His Excellency has already issued, I mean the flood relief and leprosy relief appeals. Now we request the Hon'ble Minister to take up this question very seriously and issue an appeal himself so that we may be able to collect a decent sum in this province as well as outside the province, and if this appeal is made, we are quite hopeful that the generous public of this province will come forward and subscribe decent sums. In the end I hope that the Hon'ble Minister will move the Government to give a decent amount for the sanatorium by which we will be able to have a number of rooms for the patients who are every year disappointed.

The Deputy President : to Rai Bahadur Thakur Hanuman Singh.—Will the honourable member move his own motion or speak to the motion before the House ?

Rai Bahadur Thakur Hanuman Singh : I will speak to the motion now before the House.

There is a proverb that calamity comes not alone. Those who know how the Bhowali Sanatorium is being run and what are the necessities, feel very keenly anxious for its improvement. We the members of the Bhowali Sanatorium adopted a resolution in our meeting which was presided over by Col. Cochrane that we should wait upon His Excellency the Governor and request him to address a meeting of the Rases of this province to come forward with aid for this institution, but His Excellency could not find his way for reasons given by the speaker who preceded me. Then, Sir, I find that since 1921-22 a provision in the budget was made year after year for this sanatorium and the amount was Rs. 29,000 and odd. But with the exception of the year 1921-22 this full amount was never drawn, Rs. 12,000 and odd was kept back by the Government. To a question of mine the Hon'ble Minister in his reply was pleased to say that owing to an oversight the amount was provided, but it was not paid to the sanatorium. I would like to know, Sir, that the amount which was passed by this House to be spent on the sanatorium could be withheld by the Government without any reason. Did the Hon'ble Minister inquire of the committee of management of the sanatorium whether the funds provided for that institution were required or not? No such inquiry was made and the sanatorium was paid only Rs. 17,000. Then, Sir, I wanted to request the Government to make a special provision for the improvement of the sanatorium, but unfortunately I failed therein. With a view to request the Government that 40,000 rupees be granted for the improvement of the sanatorium, I wanted to move a resolution "That this Council recommends to His Excellency the Governor acting with his Ministers, that he may be pleased to make a provision of Rs. 40,000 in the budget or 1925-26 (a) for the construction of a female block, and (b) the

installation of an X-Ray apparatus at the King Edward Research Sanatorium, Bhowali, but unfortunately this resolution was disallowed on the ground that it was of a local nature. As regards its local nature I submit, Sir, that patients from Bihar, Bengal, Bombay and the Punjab and from other provinces come and stay there for treatment. If this sort of institutions are called local, not even provincial, then I do not know what provincial institutions can be. Sir, the need of the installation of an X-Ray apparatus and the construction of a female block are so urgent that, if possible, Government should lose no time in sanctioning this Rs. 40,000 towards that purpose. The sanatorium committee has got Rs. 20,000 in hand and with the aid of Rs. 40,000 it will be able to instal the X-Ray apparatus and build the female block. At the same time, Sir, I would request the Hon'ble Minister to request other Governments from whose provinces patients come and stay here as well as the Ruling Chiefs from whose States patients come into the sanatorium for treatment to come forward with their quota of aid. When our Government is paying to certain institutions situated in other provinces there is no reason why other Governments should not be paying towards the maintenance of an institution existing in our provinces. We find that a very big sum is provided in the budget as contribution from this Government to the mental hospital at Ranchi. This sanatorium is also for the treatment of a disease which is rapidly increasing and it is taking any number of victims every year. You will be astonished to find that in the budget below this provision, a sum of Rs. 100 is provided for tuberculine treatment. To me it seems ridiculous to make such a small provision for a disease which may be said to be universal.

With these remarks, Sir, I would request and pray the Government to take mercy on the poor persons who resort to Bhowali and to make better arrangements for their treatment and lodging.

The Hon'ble Rai Rajeshwar Bali : I heartily agree with the honourable mover and other speakers when they say that we should do our utmost to provide more accommodation in the Bhowali Sanatorium. This is an institution worthy of all our sympathy and all our support. But here again the same old question of funds stands in the way of our providing additional grants. I may, however, communicate this to the House, that Rs. 12,000 which were included in last year's schedules by mistake, will have to be given to the sanatorium. Not only that, but also the additional sum of Rs. 12,000 which has been included in this year's budget will also be given. Thus they will get more than Rs. 24,000 this year as a non-recurring grant.

Rai Bahadur Thakur Hanuman Singh : We want Rs. 28,000 more.

The Hon'ble Rai Rajeshwar Bali : I think the honourable member suggested that they wanted Rs. 40,000.

Rai Bahadur Thakur Hanuman Singh : Yes.

The Hon'ble Rai Rajeshwar Bali : So, they will get more than Rs. 24,000 and we shall try to provide the remaining Rs. 16,000 as early as we can.

Lala Mathura Prasad Mehrotra : Will the Hon'ble Minister take up the question of an appeal to the public?

The Hon'ble Rai Rajeshwar Bali : I can take up the question of an appeal to the public, but the only difficulty seems to be whether the people are going to respond. If the sanatorium authorities make an appeal, I would do my share to make it a success. I would not have gone into the question as to how this mistake arose. But as some honourable members have referred to it, I may explain as I did in replying to a question put to me some time ago. This sum of Rs. 12,000 was provided as a non-recurring item in 1921, I believe, and was appropriated in the ordinary course by the Trust Committee. But by mistake the Finance department have been putting it up again as grant for every year since then. As the Medical department never included it in its schedules except in 1921, it never knew that it was passed every year by the Council, and so never informed the Trust authorities to draw it. Therefore it is not a fact that we purposely held it back or that we did not wish to give it to the committee. In fact nobody detected the mistake till this year, and we are now prepared to pay the money to the Trust not only for 1924-25 but for 1925-26 also.

Maulvi Muhammad Obaid-ur-Rahman Khan : I want to put one question to the Hon'ble Minister before I withdraw the motion whether the Hon'ble Minister will be pleased to budget for the same sum for future years also.

The Hon'ble Rai Rajeshwar Bali : If they put up a case for this sum to be included as a recurring item then we shall surely consider it.

Motion by leave withdrawn.

Pandit Govind Ballabh Pant : I propose for the consideration of the House that we should proceed now with item No. 49 to be moved by Khan Bahadur Maulvi Fasih-ud-din.

The Deputy President : There is motion No. 41, in the name of Hafiz Hidayat Husain.

Hafiz Hidayat Husain : I beg to move that the demand of Rs. 50,000 in respect of the item regarding grants for Improvement Trusts at page 90 of the Detailed Estimates be reduced by Rs. 50. If honourable member will turn to the budget memorandum they will find that Rs. 50,000 is provided for the Lucknow Improvement Trust for the protection of certain areas from floods. I do not want to make any reduction in this item. All that I want to find out is this. Is this grant being made for the protection of the places where Butler Palace and other big houses are built? This area I understand was let out for building purposes on the distinct understanding that the Government will protect it from floods. Year before last when the floods came the houses built on this area found themselves in a very unprotected condition and the result was that the floods played great havoc all round that area. I understand that a suit was going to be filed or notice of suit was given to the Government for damages resulting from the floods. I now inquire if the Government had given any understanding to the people like the one I have stated. If so, what have they done so far to reimburse the people who have suffered injury on account of the floods?

The Hon'ble Rai Rajeshwar Bali : As far as I know this understanding can only be given by the Improvement Trust, Lucknow. So far as I know, they say that they have not given any such understanding. I do not think we need go deeper into the question. Provision

for Rs. 50,000 has already been made to construct a bund. The total scheme is to cost over a lakh. This is the first instalment of that scheme. So that question does not arise now.

Hafiz Hidayat Husain : I withdraw the motion.

Motion by leave withdrawn.

Raja Bahadur Babu Ram Nath Bhargava : I move that the demand of Rs. 5,58,410 in respect of the item regarding miscellaneous allotments—grants for public health purposes—at page 90 of the Detailed Estimates be reduced by Rs. 100.

My object in moving this motion was to ascertain about the scheme for the prevention of epidemics and the improvement of rural sanitation. I think that the sum of Rs. 50,000 which has been allotted for this purpose is very inadequate and I want to know how this sum is to be spent and how it is to be utilized. The second point is about the contribution to district boards. The amount for the above was Rs. 1,35,700 in the revised estimate of 1924-25, but this year it has been cut down to Rs. 85,810. I want to know why this sum has been reduced, while in this connection more money should have been allotted. The third point is about the fixed recurring grant for the special assistance to pilgrim centres. This amount has been given as one lakh as it was in previous years, but I want to know what are the centres on which this amount is to be spent, and how.

Further, I wish to point out that the allotment of Rs. 1,00,000 in the budget for fixed recurring grant for rural and minor sanitary works is very small taking into consideration its vast area and population—where very little is done at present to improve the sanitary condition. I hope the Hon'ble Minister for Local Self-Government will be pleased to give his full consideration on the above.

Rai Bahadur Thakur Hanuman Singh : [During this speech the Hon'ble the President resumed the Chair.] I will speak on the motion before the House. I rise to support my friend Mr. Bhargava and add a few words to what he has already spoken. This sum of Rs. 1,00,000 for a fixed recurring grant for rural and minor sanitary works is so small considering the length and breadth of the province and the vastness of its population that it can be said that it is a drop of ghee in a burning pan. I think this would have been better spent if with the cost of this sum more branch dispensaries were established in rural areas or the amount would have been provided for the introduction of the district hygienic scheme in more districts than at present is contemplated, that is, four districts. This amount is placed in the hands of the district boards and the district boards spend it on the repair of parapets of wells or in filling up a certain ditch near some village, which in no way—or I may say very little—profits the people. But if we spend it on the establishment of new dispensaries or on the introduction of sanitary schemes, I think it will do more good than it is doing at present.

With your permission, Sir, I may point out here that this amount is being provided year after year, but if inquiry be made as to what has been done to improve the sanitation of the villages, it will be found that it has not done any real good in the direction in which it is being spent since a very long time. When I was in service I used to see how the amount was spent and I always disapproved of the way in

[Rai Bahadur Thakur Hanuman Singh.]

which it was spent. Sometimes it is spent on such works which are not useful to the general public, but useful to certain persons who have their friends in the district boards.

Then some district boards also contribute out of this allotment to those people who promise that they would raise an equal amount to be spent on certain objects. That amount is never raised. Money is taken from the district boards and the contract is given to certain men—I say fictitious men; the money is spent by the person who draws it from the district board treasury and the contractor's receipt of the amount drawn from the district board as well as the fictitious amount is sent to the district board. In this way the money is wasted and the public is not profited by it.

Mr. R. Burn : I understand that the two honourable members are chiefly actuated by a desire for information as to how these grants are being spent at present. There are three grants. Firstly, there is a lakh which is spent on pilgrim centres. This grant during the last few years has been spent on the sanitation of bathing tanks such as the Harkipairi at Soron and on the provision of infectious diseases hospitals at Muttra, at Fyzabad, and one now under construction at Benares. The next grant in order is the grant of Rs. 1,35,000 for the improvement of urban sanitation. That grant is distributed as occasion arises and as a good case is made out in aid of small sanitary improvements in municipalities. The Board of Public Health as a rule insist on a contribution of an equal amount being made by the municipalities concerned. The details of grants made are readily available in the report of the Sanitary Engineer to Government. The third grant is one lakh for rural and minor sanitation. The last speaker suggested that that money might with advantage be transferred for the upkeep of dispensaries. There I am not inclined to agree with him. The grant is a very small one, and it is chiefly spent on the following purposes:—Rupees 5,000 is placed annually at the disposal of each Commissioner. From that he makes grants to the Committees of Town Areas and Notified Areas to improve sanitation at places under their control. As a Commissioner I found that these grants were of very great use in stimulating local interest in the improvement of the towns. If care is taken that the projects are properly worked out a great deal can be done to improve both the comfort and health of the residents in these small towns. The balance of the money during the last few years has generally been given as grants to district boards to improve their drinking water-supply by repairing wells and putting pumps in them and closing the wells from above so that the water in the wells cannot be contaminated. That also is a very useful object. The third object on which the money is expended in rural tracts is in aid of small sanitary improvements in villages to be carried out by panchayats. I think most of the members of this Council will agree that the improvement of village sanitation through the people themselves is an object which ought to be encouraged in every possible way, and we have given out a good deal of money in the present year on the condition that the panchayats also contribute an equal amount. The objects are chosen by the panchayats, and district officers recommend a grant for those which appear to be really useful. The grant is a small one. It is hardly betraying an official secret if I say that the Board of Public

Health asked for two lakhs of rupees this year for rural sanitation instead of one lakh, but the financial condition, I suppose, did not allow the Hon'ble the Finance Member to give them what they wanted. I think that every pie that is spent is spent on objects which are really useful and which, as I have explained, are in the great majority of cases actually administered by the people themselves.

Motion by leave withdrawn.

Khan Bahadur Maulvi Fasih-ud-din : I beg to move that the demand of Rs. 91,600 in respect of the item regarding the salaries of provincial subordinate officers—special Health Officers and Provincial Subordinate Medical Service Officers at page 90 of the Detailed Estimates—be reduced by Rs. 17,000. I understand that this extra amount is needed for the creation of a staff of officers in order to supervise the work of the medical subordinates in charge of travelling dispensaries. If my conjecture is right, then I submit it is a very clear instance of uncontrolled lavishness on the part of the department, and if this principle were to be recognized I should like to suggest that similar supervisors be appointed in order to supervise the work of the . . .

The Hon'ble Rai Rajeshwar Bali : In order to shorten the debate, I may tell the honourable member that by mistake an extra sum of about Rs. 17,000 was included under this head, and consequently I was proposing to move myself a reduction of that amount minus the sum of Rs. 5,000 for quinine which was omitted by a mistake.

Khan Bahadur Maulvi Fasih-ud-din : In the circumstances I beg to withdraw my motion.

Motion by leave withdrawn.

The Hon'ble Rai Rajeshwar Bali : I beg to move that demand of Rs. 2,46,975 under 33C—Public Health, be reduced by Rs. 11,272 in respect of expenses in connection with bubonic plague.

As I have just explained, a sum of Rs. 16,272 was provided twice under this head by a mistake. Since, however, provision for quinine was omitted, I have reduced the figure by Rs. 5,000, and move that a reduction of only Rs. 11,272 be made.

Pandit Govind Ballabh Pant : I have not been able to follow the Hon'ble Minister. Will he kindly further explain to the Council about his motion?

Mr. E. A. H. Blunt : The explanation is that this particular staff, which costs Rs. 16,272, has always existed in the budget in a temporary form. This year, however, it was proposed to make it permanent, and consequently it had first to pass through the schedules and then the Finance Committee. The Finance Committee agreed to it, and accordingly we put it in as a permanent item in the budget and told the Accountant-General that he could cut it out as a temporary measure, lest it might appear twice. What he actually did was, so far as I can understand, that he left it at both places and showed it in the budget both in the temporary and permanent form, and cut out the quinine instead, which had absolutely nothing to do with it. The proposal of the Hon'ble Minister is therefore to cut out the item at one place and to restore the provision for quinine.

Motion agreed to.

Rai Bahadur Thakur Hanuman Singh : I rise to move that the demand of Rs. 9,512 in respect of the item regarding cost of running four travelling dispensaries at page 90 of the Detailed Estimates be omitted.

Before this there used to be travelling dispensaries in every district of the province, but all have been abolished with the exception of these four travelling dispensaries. It is said that their maintenance is very useful on occasions of epidemics. I say that these four dispensaries are, if they are at all to be useful, too small in number to be of any valuable service in connection with the stoppage or suppression of epidemics. If in place of these travelling dispensaries some branch dispensaries be opened in certain localities where there may be great need, I think they would be doing much more useful work than they are doing at present. Some useful aid to a limited number of people is better than no aid to anyone. I am of very strong opinion that money is being wasted on these travelling dispensaries.

Lieut. Raja Durga Narayan Singh : I want to add a few words in this connection. These travelling dispensaries used to be under district boards. Nearly all the district boards have abolished them, and I do not think, as my friend Thakur Hanuman Singh has just pointed out, that these four dispensaries will do any good to the province. So I think that if this amount is diverted towards opening small dispensaries or *ausdhshalas*, which I suppose will be cheaper than allopathic dispensaries, it will serve a good purpose.

The Hon'ble Rai Rajeshwar Bali : I wish to remove the misapprehension about this item. Honourable members are aware that every district board used to maintain a travelling dispensary and that more than half the cost used to be borne by Government. When the district boards began to look on them with disfavour, the Government offered to them the option of either retaining those dispensaries or closing them down; and, in the latter case, not to withdraw their financial support. In other words, even if the dispensaries were closed, the Government would go on giving its share of the cost of these dispensaries to be used in some other way for medical relief. Forty-four district boards decided to close their travelling dispensaries, and they were closed. But it appears that there are four district boards who still think that they are doing useful work, and I hope honourable members will agree that we need not interfere with them. They may be allowed to have those dispensaries as long as they desire.

Khan Bahadur Maulvi Fasih-ud-din : It is within my personal knowledge that the whole question of travelling dispensaries was overhauled in the Medical department, and after inquiries from District Officers and from various district boards concerned it was decided that these travelling dispensaries were not doing any useful work, because they could not stop at one place for any length of time. As they could not treat patients well, they could not attract them. It was all these reasons that were brought forward against these dispensaries, and the Inspector-General of Civil Hospitals after a very close examination of the facts came to the conclusion that these dispensaries should be abolished, and it was for these reasons, so far as I know, that these dispensaries were abolished. If this is a fact, then I do not see any reason why four dispensaries should be maintained as the remnant of a glorious past.

Rai Bahadur Thakur Hanuman Singh: I beg to withdraw my motion.

Motion by leave withdrawn.

Dr. Ganesh Prasad: At this late hour it is not my intention to inflict a long speech on this honourable House, especially when it seems to be my unfortunate experience that whenever I open my lips I pour fire over some of my friends opposite. I wish to assure my friend the Hon'ble the Nawab Sahib of Chhatari that it is far from my intention to bring any heat into any discussion. It is my nature that I speak with some strength of conviction, and that strength of conviction is probably responsible for what my honourable friend Nawab Sahib of Chhatari thought to be heat. I wish to ventilate a certain grievance of the non-official members, viz., that epidemic diseases in these provinces have not been carefully encountered.

The Hon'ble the President: The honourable member has not moved his motion.

Dr. Ganesh Prasad: I beg to move that the demand of Rs. 1,68,025 in respect of the item regarding expenses in connection with epidemic diseases at page 90 of the Detailed Estimates be reduced by Rs. 10.

As I was going to say, Sir, my object is to ventilate a grievance of the non-official public, and that is that the epidemic diseases that have played havoc with the poor men of these provinces have not been carefully encountered. The Hon'ble Nawab Sahib of Chhatari has alluded to a certain difficulty that the Government felt in the year 1897 when he was probably too young to know exactly what that difficulty was. I was at that time a full-fledged M.A. of the Allahabad and Calcutta Universities and I can inform this honourable House that the public was perfectly right in objecting to the measures that the Government in its misguided zeal had introduced. All those riots that took place in Bombay and Poona and other places would never have come into existence but for the misguided zeal of the Government. I do not impute any motive to the Government, the Government had no special object in creating disaffection, but the Government had a wrong theory, viz., that plague like small-pox, was a disease which could be checked by disinfection. Disinfection is absolutely of no good in the case of plague. The next theory that came to the front and appears to hold the field is that plague can be more or less removed from this country if we can effectuate what is absolutely impossible, namely, the complete destruction of rats. That of course is the second theory and that is a very beautiful theory indeed. The question now is this: how can we get rid of this plague? Is it possible for us to sit with folded hands and say: "Well, look here, we will wait and wait and wait until the Government is good enough to kill all the rats and then we would be quite safe." That of course is a thing which is absolutely inconceivable for the non-official public to do. We must do something, and the question is, what is that something? All the medical brains that are to be found in these provinces have not been able to produce any better theory and more beautiful theory than the one which I have just now mentioned.

So far about plague. What about tuberculosis and fever? I know that tuberculosis is not exactly an epidemic, but that is a matter which may be left for medical men to decide. In certain cases galloping consumption may be an epidemic just as any other epidemic disease. I

[Dr. Ganesh Prasad.]

want to make a little reference, with your permission, to a certain meeting of the Finance Committee. You were kind enough to allow the Hon'ble Minister to refer to the proceedings of the meeting of the Finance Committee held on the 8th and 9th January.

The Hon'ble the President : I do not think I gave any such permission.

Dr. Ganesh Prasad : In the forenoon I think the Hon'ble Minister did allude to the proceedings of the Finance Committee. I do not want to go into details.

The Hon'ble Rai Rajeshwar Bali : I only said that in deference to the wishes of the Finance Committee I had appointed a committee.

The Hon'ble the President : It is a very casual reference.

Dr. Ganesh Prasad : I also only want to make a casual reference with your permission. My reference is this that the Finance Committee wanted that a committee should be appointed to look into the prevention of epidemics—I have got of course the report of the proceedings with me. If you appoint a strong committee of experts—men who are not unqualified—to look into this question I will be satisfied. I wish to make perfectly clear, my object is not to go for the Hon'ble Rai Rajeshwar Bali or to go for the Hon'ble Nawab Sahib of Chhatari, for the simple reason that I consider myself to be utterly undeserving of the places that these gentlemen occupy and have no anxiety to be in any of them. I have absolutely no wish to attack these gentlemen, but I must have an opportunity to ventilate my grievances, and this is the opportunity and the only opportunity when I can do so. Therefore I say that a committee must be appointed. If the Hon'ble Minister for Public Health thinks that he can appoint a committee of experts, he is perfectly welcome to do so; but if he wants to satisfy me, let him not put me on the committee because I am already overburdened with all sorts of responsibilities; let him put on the committee M. B.'s, M. D.'s, D. P. H.'s. As far as I know the committee which he has appointed to look into the question of the district health scheme, which will involve an expenditure of fifty thousand rupees a year, does not contain a single non-official member who can claim to have any knowledge of medical or public health matters. If that kind of committee is a strong committee, I would say by all means appoint a very very weak committee. That is all that I have got to say.

The Hon'ble Rai Rajeshwar Bali : As I have already mentioned before this, I appointed this committee because I thought that the intentions of the Finance Committee were to look into the district health scheme alone or to suggest an alternative for that scheme. It was with that end in view that I appointed that committee. I will repeat again that for looking into the wider question I am quite willing to appoint another committee, and in this committee I shall attempt to appoint really capable medical men. I will just casually refer to one thing which I think the honourable member has missed. We are not sitting quite idle with regard to this plague research. As I said in my introductory speech I approached the Government of India to appoint a sort of Plague Commission, and they have advised us that we should get somebody trained in the preliminary work of classifying seasonal rat fleas and so on. We sent a man to Bombay and he has received that training.

He will soon be placed on special duty to make preliminary investigations. I hope that he will be very useful in assisting this committee to come to some definite conclusions. I agree with the honourable doctor that we are quite in the dark as to what are really efficient methods for combating plague. The only methods that we know of so far are either inoculation or evacuation. The rat destruction theory too is out of date. We do not spend any money now on the killing of rats.

Pandit Baijnath Misra : The question which is being discussed now in this House is not a new one. Mention was made of the same subject last year at the time of the budget discussion. The honourable member representing the University of Allahabad mentioned the case of Ballia and brought to the notice of the House the vast number of deaths that were occurring in that district on account of plague. I mentioned in that connection Azamgarh and asked the Hon'ble Minister of education and Public Health as to what steps had been taken in order to prevent the havoc that was being caused on account of plague in the eastern districts of the province. If I remember aright, I asked what were the causes on account of which plague was more prevalent in the eastern than in the other districts. The Hon'ble Minister for Education, if I remember correctly, said that it was because the rat population in those parts was greater than in other parts of the province. I am glad to hear from him now that that theory has been exploded within the course of the year.

The Hon'ble Rai Rajeshwar Bali : May I just make a correction. I do not mean that we do not believe that rats carry infection. What I wanted to make out was that we think that it is futile to attempt to kill rats, as we cannot kill all rats, and that therefore we cannot prevent plague in this way. That theory has been exploded.

Pandit Govind Ballabh Pant : So rats are out of danger now.

The Hon'ble Rai Rajeshwar Bali : It is futile to think that we can kill all the rats and therefore we have given it up in despair.

Pandit Baijnath Misra : My object in saying a few words before the House is that the progress that the Government has been making in the matter of investigation and finding out remedies in order to eradicate this disease is very slow. A few minutes before I think the honourable member representing the Allahabad University gave a speech accusing the department of proceeding very slowly and that was the discussion where it was said that heat was generated. I think the honourable member representing the University of Allahabad never meant to attribute any particular blame to the present Ministers. What he said there he said rightly.

The Hon'ble the President : We have already heard the honourable doctor's remarks. There is hardly any need for the honourable member to interpret to them.

Pandit Baijnath Misra : As to plague, it has been prevalent in the province for the last 24 years and I find that it is now that a suggestion has been made by this Government to the Government of India that particular investigation should be made. I am very suspicious of this procedure. I do not know how much time will be spent in investigating into the matter and coming to a conclusion and then devising some remedies to eradicate this disease. My purpose in rising at this late hour and saying a few words is only this, that the Government should not

[Pandit Baijnath Misra.]

be so slow as it has been in years past and that whatever it has to do in the matter it should expedite it.

Dr. Ganesh Prasad : I have no intention of pressing this motion to a division. I only want an assurance from the Hon'ble Minister in clear terms. Public health is a transferred subject and the Government of India has no control over it. Was it the intention of the Hon'ble Minister to ask for experts from the Government of India when he suggested a plague commission? What was his intention?

The Hon'ble Rai Rajeshwar Bali : The intention was that the Government of India may be able to provide us with experts who could go through the provinces and try to make research and find out the causes of plague and how to prevent it.

Dr. Ganesh Prasad : It was only suggested to the Government of India that an all-India plague commission be appointed. I was right in attaching very little importance to what the Hon'ble Minister said about that suggestion. That suggestion will not satisfy me. If the Hon'ble Minister is willing to appoint a strong committee in these provinces I am prepared to withdraw the motion.

The Hon'ble Rai Rajeshwar Bali : I have already said we are willing.

Motion by leave withdrawn.

Mr. Muhammad Aslam Saifi : I move, Sir, that the demand of Rs. 29 in respect of the item regarding supply and services at page 91 of the Detailed Estimates be reduced by Rs. 28.

Rupees 5,000 was budgeted every year for the provision of quinine. This year I notice that this item has been omitted. I want to know whether Government have found a substitute for quinine or whether they have given up quinine altogether. Is there any special reason why you should not provide for quinine?

The Hon'ble the President : The answer has already been given.

The Hon'ble Rai Rajeshwar Bali : I have just explained that it was omitted by mistake—i.e., Rs. 5,000, and for that I have moved the other motion.

Motion by leave withdrawn.

Rai Bahadur Thakur Hanuman Singh : I move that the demand of Rs. 45,800 in respect of the item regarding contingencies—epidemiology at page 91 of the Detailed Estimates be omitted more. Sir, in the Detailed Estimates I find that the post of Director of Epidemiology has been abolished and the clerks and others who were attached to that department have also been removed. In spite of that I find that the amount of contingencies has been raised from Rs. 33,000 to Rs. 45,000. Of course a part of it must be intended for the office of the officer in charge of malariology, but there ought to have been a decrease, not an increase.

Mr. G. B. F. Muir : This item is part of a sum of Rs. 60,000 which is placed every year at the disposal of the Director of Public Health for the purpose of purchasing permanganate of potash which is used to disinfect wells when cholera is prevalent, and also for any other special measures that may be necessary in times of epidemics, such as encouraging people to evacuate their huts when plague threatens

The amount this year is apparently larger—it is Rs. 45,000 insted of Rs. 33,000,—because last year more money was spent in England and appeared in the High Commissioner's budget. This year less money will be spent in England and more out here—that is the reason of the difference between the two years. The amount is still the same, viz., Rs. 60,000., and every anna is needed.

Motion by leave withdrawn.

Lala Mathura Prasad Mehrotra : I, move, Sir, that the demand of Rs. 2,69,775 in respect of the item regarding epidemic charges at page 91 of the Detailed Estimates be reduced by Re. 1.

Sir, it was only the other day when we discussed the establishment of the hygiene institute with the Director of Public Health, we were very much surprised to know that there is no plague in these provinces for the last 10 years.

The Hon'ble the President : We discussed this at great length. We cannot have the same debate again.

Lala Mathura Prasad Mehrotra : I want to refer to a particular case of my own district.

The Hon'ble the President : The honourable member should have spoken when the discussion was going on. He can discuss malaria which we have not yet discussed.

Lala Mathura Prasad Mehrotra : Then, Sir, if I am not allowed to bring that matter in, I will resume my seat.

The Hon'ble the President : No. I cannot have the same debate repeated.

Pandit Govind Ballabh Pant : I do not desire to make any speech. I only want to bring out one or two points. One is this that, so far as the Director of Public Health and Malariology is concerned, I think the department of Public Health is entitled to have a contribution from the Irrigation department, because the Sarda works derive probably more benefit from that, and as the Sarda scheme is financed mostly from loan funds I see no reason why contribution should not be made from those funds towards this expenditure for purposes of public health. I think the Financial Secretary will give some consideration to the suggestion I am making. In this connection I may also say that six of the travelling dispensaries are also serving there and their charges are paid by the Public Health department. Again, I think, it is necessary that these should be paid for by the Irrigation department, and, with the money now spent on those six, more dispensaries should be opened for districts, specially in rural parts. I would ask the Hon'ble Minister to reconsider the position in respect of the hygiene publicity officer and the assistant and the assistant's assistant. It is too long a chain with so many links. If he wants one well-paid man he may have one for Rs. 200 or Rs. 300, for the rest I think there should be a number of sub-assistant surgeons who have been trained in this branch and he can entertain five or six of them instead of two highly-paid men. I do not think costly staff should be engaged. So far as the publicity campaign is concerned I would like to know whether he would not entertain the idea of combining it with the scheme for circulating libraries so that the two may be carried on side by side, libraries containing books of a useful character might be carried from place to place, so that knowledge might be brought nearer to those

[Pandit Govind Ballah Pant.]

people who have no books with them. I still think that the Director of Malariology is too costly a person and that we have got enough of research work in respect of malaria in the hospitals for tropical diseases and other institutions. What we want is more dispensaries, larger distribution of quinine and effective means for carrying on measures which, we know, should be carried on for fighting the epidemic of malaria. There is not much necessity of research in this matter. He has been carrying on, I know, the heroic operation of killing mosquitoes by means of very ingenious devices. But what we want is more of quinine and more of knowledge and more of contact between the medical men and the general masses of the people.

Mr. E. A. H. Blunt : The only point with which I am personally concerned is the honourable member's suggestion that the Assistant Director of Malariology should be partly paid out of loan funds. I admit, Sir, that it is a new idea. It is one about which I had not thought before, and I am prepared to consider it. But I should like to tell the honourable member that in any case the whole of his pay could not be debited to the loan funds, because it is not only the Sarda works that are benefited ; it is to the benefit of the entire tract.

The Hon'ble Rai Rajeshwar Bali : I wish to refer to two points mentioned by honourable members. One is whether we can dispense with the services of the Assistant Director of Public Health in charge of Malariology, and the other is whether we can reduce the staff for hygiene publicity purposes. I think there is some misapprehension on the part of honourable members. This Assistant Director is engaged not only in making researches, but also in making surveys of various districts and to suggest what anti-malarial measures should be adopted in different localities. Moreover, he teaches anti-malarial work to the medical officers of health and other sanitary staff. Therefore, I do not think, it is possible to dispense with his services.

With regard to the suggestion to reduce the staff in the Hygiene Publicity office, so far as I know, these people are really needed. At really they receive a number of calls from various places to attend fairs, melas, baby shows and other hygiene publicity operations. They have also to prepare leaflets and design and other methods for advancing knowledge in hygiene matters. However, I shall go into the question again, and if it is possible I shall try to economize as much as possible.

Lala Mathura Prasad Mehrotra : I withdraw my motion.

Motion by leave withdrawn

Thakur Sadho Singh : I beg to move that the demand of Rs. 1,00,000 in respect of the item regarding expenses in connection with epidemic disease, schemes for increasing number of dispensaries at page 87 of the Detailed Estimates be reduced by Rs. 50,000. I wish to make it clear that I have no mind to move a real reduction. I simply want that many more dispensaries should be provided by apportioning substantial amount out of this one lakh to Ayurvedic and Unani dispensaries which are so very cheap and needed by the vast mass of the population. The allopathic dispensaries are also required. I do not question their utility, but to give sufficient amount of medical relief to the masses through the allopathic dispensaries would take very very long time and would prove rather too costly.

The Hon'ble Rai Rajeshwar Bali : This motion is also the result of an unfortunate mistake. This sum of one lakh which has been provided on page 87 for the scheme of increasing the number of dispensaries ought to have been provided in the medical budget. I referred to it while I was moving the medical budget. However, as it is here and a motion has been made, I would repeat the remarks I made on that day. I quite agree with the honourable member that we should try to provide funds for more Ayurvedic and Unani dispensaries. At the same time I hope he will agree that the sum of one lakh is not much for providing for two schemes of allopathic system. They only provide for Rs. 50,000 each. If we get more money we shall of course try to have more Ayurvedic and Unani dispensaries.

Thakur Sadho Singh : I do not press the motion.

Motion by leave withdrawn.

Mr. Aslam Saifi : I move "that the demand of Rs 12,88,967 in respect of the item regarding 34—Public Health at page 87 of the Detailed Estimates be reduced by Re. 1." My object is simply to express my dissatisfaction at the small amount which has been allotted to this very important department and I hope the Hon'ble Minister will be more ambitious in asking for more money for this department.

Hafiz Hidayat Husain : I want to raise two points. The first is how far it is right that in cities like Cawnpore and Allahabad which are on the banks of the Ganges the drains and sewers should be emptied into the river. The result of this is that they pollute the river and at least a portion of the river is in such filthy condition in consequence that it is impossible to go near it. Of course in England and other countries also they empty the sewers into the river. But what they do there is to construct two receptacles—one for the solid matter and another for the liquid matter. Of course it is—much of it—being utilized for manure. It is of course not possible for the present to come up to that standard. But the particular point that sewers should or should not be emptied into the river should be considered.

The second point which I want to bring to the notice of the House is that the Government suggested to district boards some time back that Ayurvedic and Unani dispensaries should be established and that these should take the shape of travelling dispensaries. I do not know what happened to this scheme because I do not find any such dispensaries in any district.

Lt. Raja Durga Narayan Singh : I want to make only one point in this connection, and it is this. That most of the district boards or nearly all district boards have started Aushadhalayas in their districts, but Government have not yet given them any sort of help. I think the Hon'ble Minister will consider the case of Aushadhalayas also. These Aushadhalayas should be encouraged so that the rural population may derive benefit therefrom. I hope next year, or in the middle of the next year the Hon'ble Minister will come with a supplementary budget for and to these Aushadhalayas.

The Hon'ble Rai Rajeshwar Bali : My friend Mr. Sadho Singh has suggested that we should be more ambitious in our scheme. I wish to point out that we are as zealous in this matter as he is. In fact we got a number of schemes prepared, but, we cannot control the financial

[The Hon'ble Rai Rajeshwar Bali.]

position of the province and it was for that that many of our schemes had to be put aside. Then the question has been raised about the sewers in certain places emptying themselves into the Ganges. As far as I know in big places like Allahabad and Benares they have got sullage farms and, if Cawnpore followed their example, this difficulty could be easily over come,

Mr. Mukandi Lal: What about Hardwar?

The Hon'ble Rai Rajeshwar Bali: I have not examined the case of Hardwar, but I think a Rs. 10,00,000 scheme was prepared for Hardwar, but could not be given effect to because the question of water-supply had to be given priority. As for giving aid to Ayurvedic and Unani systems, my friend the member for Farrukhabad is wrong in saying that we are not giving any aid to any district. At present we are giving aid to number of district boards, though not to all. If we are able to get more funds I will come before the House with a supplementary estimate in order to give more aid to Ayurvedic and Unani dispensaries.

Pandit Govind Ballabh Pant: I have only one question to ask; whether the Hon'ble Minister will tell me if he is contemplating any measures for getting a more faithful record of vital statistics.

The Hon'ble Rai Rajeshwar Bali: That is one of our great difficulties. Recently with the reduction in the number of chaukidars that difficulty has been rather aggravated and I do not know whether we can arrange for any better system without spending a very large amount of money.

Motion by leave withdrawn.

The net demand for Rs. 12,75,231 was put and voted.

The Council was then adjourned to the following day.

LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

Tuesday, 24th March, 1925.

THE Council met in the Council Chamber, Lucknow, at 11 a.m. The Hon'ble the President in the Chair.

PRESENT :

The Hon'ble Mr. S. P. O'Donnell.
The Hon'ble Raja Sir Muhammad Ali
Muhammad Khan, Khan Bahadur.
The Hon'ble Lieut. Nawab Muhammad
Ahmad Sa'id Khan.
The Hon'ble Rai Rajeshwar Bali.
Mr. G. B. Lambert.
Mr. E. A. H. Blunt.
Kunwar Jagdish Prasad.
Mr. G. B. F. Muir.
Mr. A. C. Verrières.
Mr. C. E. D. Peters.
Mr. J. R. W. Bennett.
Mr. S. H. Fremantle.
Mr. R. Barn.
Mr. B. J. K. Hallows.
Mr. C. A. King.
Lieut.-Col. J. E. Clements.
Mr. A. D. Ashdown.
Colonel A. W. R. Cochrane.
Mr. A. H. Mackenzie.
Mr. G. Clarke.
Raja Bahadur Brij Narayan Rai.
Mr. H. David.
Babu Khem Chand.
Babu Narayan Prasad Arora.
Babu Mohan Lal Saksona.
Babu Damodar Das.
Babu Jai Narayan Chaudhri.
Babu Bhagwati Sahai Bedar.
Thakur Manjit Singh Rathor.
2nd-Lieut. Chaudhri Balwant Singh.
Rai Jagdish Prasad Sahib.
Chaudhri Jaswant Singh.
Chaudhri Sheoraj Singh.
Pandit Nanak Chand.
Lala Babu Lal.
Thakur Rajkumar Singh.
Thakur Shib Narayan Singh.
Rai Bahadur Babu Ram Nath Bhargava.
Rai Amba Prasad Sahib.
Rai Bahadur Pandit Kharagjit Misra.
Lala Dhakan Lal.
Babu Nemi Saran.
Chaudhri Badan Singh.
Thakur Sadho Singh.
Pandit Brijnandan Prasad Misra.

Pandit Bhagwat Narayan Bhargava.
Pandit Jhanni Lal Pande.
Thakur Har Prasad Singh.
Lieut. Raja Durga Narayan Singh.
Lieut. Raja Bahadur Hukum Tej Pratap
Singh.
Pandit Sri Krishna Dutt Faliwal.
Babu Parsiddh Narayan Anand.
Pandit Yajna Narayan Upadhyaya.
Babu Dip Narayan Roy.
Rai Bahadur Thakur Hanuman Singh.
Bhaya Hanumat Prasad Singh.
Pandit Baijnath Misra.
Pandit Govind Lalabh Pant.
Pandit Hargovind Pant.
Mr. Mukandi Lal.
Babu Ram Chandra Sinha.
Dr. Jankaran Nath Misra.
Kunwar Rajendra Singh.
Rai Bahadur Thakur Mashal Singh.
Thakur Hukum Singh.
Kunwar Surendra Pratap Sahi.
Mr. Zohur Ahmad.
Dr. Muhammad Naim Ansari.
Mr. Muhammad Aslam Sa'id.
Maulvi Zohur-ud-din.
Rao Abdul Hamid Khan.
Khan Bahadur Chaudhri Amir Hasan Khan.
Maulvi Muhammad Obaid-ur-Rahman Khan.
Dr. Zia-ud-din Ahmad.
Hafiz Hidayat Husain.
Khan Bahadur Shaikh Masud-uz-Zaman.
Nawab Muhammad Yusuf.
Dr. Shafiat Ahmad Khan.
Saiyid Muhammad Asbiq Husain.
Khan Bahadur Maulvi Fasih-ud-din.
Mr. Asbiq Hussain Mirza.
Khan Bahadur Munshi Siddiq Ahmad.
Raja Saiyid Ahmad Ali Khan Alvi.
Khan Bahadur Chaudhri Muhammad
Rashid-ud-din Ashraf.
Mr. St. George H. S. Jackson.
Lala Mohan Prasad Mehrotra.
Raj. Shambhu Dayal.
Lieut. Raja Shaikh Imtiaz Rasul Khan.
Raja Jagannath Bakhsh Singh.
Dr. Ganesh Prasad.

QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

ABOLITION OF POST OF CIRCLE INSPECTOR.

*1. **Rao Abdul Hamid Khan:** What would be the approximate saving effected by abolishing the post of circle inspectors altogether?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: The approximate saving which would accrue by the total abolition of the post of circle inspector would be about two lakhs, but this post could not be abolished without compensating sub-inspectors for loss of prospects which would cost about one lakh, or without an increase in the cadre of Deputy Superintendents of Police, the cost of which would in itself be considerably greater than the savings likely to be effected by the abolition of the post of circle inspector.

Thakur Har Prasad Singh: Is the Government bound to compensate the sub-inspectors and to increase the cadre of Deputy Superintendents in case the posts of circle inspectors are abolished altogether?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: Yes. This is a foregone conclusion. If you wish to do justice to a certain class of officers, you must compensate them.

DAMAGE CAUSED BY FLOODS IN DEHRA DUN AND ROORKEE.

*6. **Rao Abdul Hamid Khan:** (a) What loss approximately was caused to the *khurif* crops in district Dehra Dun and sub-division Roorkee by the floods?

(b) How many lives of (i) men, (ii) cattle were lost by the flood in (i) Roorkee and (ii) Dehra Dun?

(c) What was the damage done to property in both the places?

(d) Which of the villages were partly or entirely destroyed in both the places?

(e) Does the Government contemplate to take any permanent preventive measures in this part of the province?

(f) Did the local authorities undertake relief work?

(g) If so, what funds were collected and through what sources?

(h) In what way was the sum spent?

(i) What interest did the district and municipal boards of the area concerned take?

The Hon'ble Mr. S. P. O'Donnell: (a) to (d) and (f) to (h): The honourable member is referred to the statement appended to the replies given to Council questions Nos. 150 to 203 asked on the 16th December, 1924. Separate figures for Roorkee sub-division are not available.

(e) Government is prepared to consider any practicable scheme which would tend to prevent a re-occurrence of such a calamity as the floods of September, 1924.

(i) The boards have endeavoured to make good damage to roads and buildings in their charge so far as the funds at their disposal permit.

OATH OF ALLEGIANCE BY M. L. C's.

*7. **Rao Abdul Hamid Khan** : Will the Government be pleased to state how many of the members of this Council have not taken the oath of their allegiance to the Crown up to this date and how many members have absented themselves from the Council for the last six months?

The Hon'ble Mr. S. P. O'Donnell : (a) One.

(b) Five members absented themselves from the Council during the period from the 14th September, 1924 to 13th March, 1925.

Thakur Har Prasad Singh : Will the Hon'ble the Finance Member be pleased to give out the names of those five gentlemen?

The Hon'ble Mr. S. P. O'Donnell : I do not remember the names at present.

CIVIL ASSISTANT SURGEON, BUDAUN.

*10. **Rao Abdul Hamid Khan** : (a) Was any memorial received by His Excellency the Governor regarding the conduct of civil assistant surgeon, Budaun?

(b) What step is the Government going to take in this connection?

The Hon'ble Rai Rajeshwar Bali : (a) No.

(b) Does not arise.

ALLOWANCE TO DIVISIONAL INSPECTOR, GOVERNMENT RAILWAY
POLICE, SAHARANPUR.

*11. **Rao Abdul Hamid Khan** : Is it a fact that the divisional inspector, Government Railway Police, Saharanpur, draws a house rent allowance of Rs. 60 per mensem? Is this allowance in accordance with his pay?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : No house rent allowance is paid to the Railway divisional inspector at Saharanpur; but as he is entitled to free quarters and no Government quarters exist, the rent of the house he occupies is paid by the Government to the owner of the house.

MUHAMMADAN MEMBERS ON INTERMEDIATE BOARD AND TEXT-BOOK
COMMITTEE.

*12. **Rao Abdul Hamid Khan** : Will the Government be pleased to state the proportion of the Muhammadan members on the Syndicate of the Allahabad University, the Intermediate Board and the Text-Book Committee?

The Hon'ble Rai Rajeshwar Bali : There is no "Syndicate" of the Allahabad University. The number of Muhammadan members on the Intermediate Board and Text-Book Committee is four and five out of a total of thirty-four and twenty-three respectively.

MUHAMMADAN MUNSIF AT DEOBAND.

*13. **Rao Abdul Hamid Khan** : Will the Government be pleased to state for how long there has been no Muhammadan munsif posted at Deoband in the district of Saharanpur?

The Hon'ble Mr. S. P. O'Donnell : Since the 7th July, 1903.

RECORDING OF VERNACULAR SPEECHES IN COUNCIL.

*15. **Rao Abdul Hamid Khan**: How much would it cost approximately if the Government undertakes to employ the vernacular shorthand-writers to record the vernacular speeches delivered in the Council?

The Hon'ble Mr. S. P. O'Donnell: No inquiry into the cost has yet been made. Few such shorthand-writers are believed to be available.

POSTS OF ZILADARSHIPS IN CANAL DEPARTMENT.

*16. **Rao Abdul Hamid Khan**: (a) Will the Government be pleased to state the average number of posts of ziladarships that fall vacant annually in the Canal department of this province?

(b) Will the Government be pleased to state the procedure by which these vacancies are filled up?

(c) Is it a fact that fresh recruitment for the post of ziladarship is not made direct? If so, since when and under what circumstances was the old practice discontinued?

The Hon'ble Mr. S. P. O'Donnell: (a) Seven, taking the average of the last three years.

(b) From amins of the permanent Irrigation establishment.

(c) Yes, since 1923. Under the old rules outsiders were first appointed as "special amins" and had to measure up and prepare *jamabandis* for at least one *fasl* before they were granted certificates of fitness for ziladar. It was found, however, that this was not sufficient and that the men so appointed lacked the knowledge and experience of work in the field so necessary in a ziladar. To remedy this and give them a longer period of actual experience on the field the rule was altered, so that now outsiders have to begin as 2nd grade amins and work their way through the 1st grade before being considered for the post of ziladar.

ISLAMIA SCHOOLS AND MAK TABS.

*17. **Rao Abdul Hamid Khan**: (a) Will the Government be pleased to state the number of primary Islamia schools or *maktabs* in each district of this province?

(b) In each district how much money is allotted by the Government and how much by the district boards for Islamia *maktabs*?

(c) How much of the allotted sum was actually spent during the last financial year in each district?

(d) How many applications for aid were rejected by each district board or *maktab* committee for want of funds?

The Hon'ble Rai Bajeshwar Bali: (a) The information is given in columns 2 and 3 of the statement laid on the honourable member's table.

(b) No separate allotments are made by Government and district boards respectively for Islamia schools and *maktabs*, but a minimum expenditure under this head is laid down by Government, which includes both Government grant and board's contribution. The prescribed minimum expenditure is shown in column 4 of the statement.

(c) and (d) The information is being collected.

Mr. Muhammad Aslam Saifi: May I ask if it is not a fact that a fixed sum of Rs. 6,000 is given to the special Islamia school of the district board of Allahabad?

The Hon'ble Rai Rajeshwar Bali: I ask for notice.

Statement referred to in answer to starred question No. 17 for the 21th March, 1925.

Districts.	Number of Islamia schools on 31st March, 1924.	Number of <i>maktabs</i> on 31st March, 1924.	Amount sanc- tioned for 1923-24.
1	2	3	4
<i>Meerut division.</i>			Rs.
Muzaffarnagar	25	12	8,777
Dehra Dun	1	3	1,179
Meerut	30	27	12,930
Bulandshahr	9	10	5,845
Saharanpur	25	28	10,909
Total	90	80	39,040
<i>Agra division.</i>			
Agra	15	16	3,171
Muttra	14	11	4,329
Mainpuri	17	3	7,242
Etah	5	11	2,217
Aligarh	18	14	5,041
Total	69	55	22,000
<i>Rohilkhand division.</i>			
Bareilly	12	51	8,381
Bijnor	20	40	9,754
Budaun	17	27	7,930
Shahjahanpur	33	46	15,723
Moradabad	33	28	9,768
Pilibhit	3	15	3,629
Total	118	207	55,185

Districts.	Number of Islamia schools on 31st March, 1924.	Number of <i>maktabs</i> on 31st March, 1924.	Amount sanc- tioned for 1923-24.
1	2	3	4
<i>Kumaun division.</i>			Rs.
Almora	5	..	..
Garhwal.. .. .	2	..	..
Naini Tal	6	6	..
Total	13	6	..
<i>Hyabad division.</i>			
Fyzabad	6	20	5,148
Gonda	7	30	5,833
Bahraich	38	14	9,571
Sultanpur	15	11	9,647
Partabgarh	8	17	4,045
Bara Banki	16	18	6,548
Total	90	110	40,792
<i>Benares division.</i>			
Benares	22	16	8,345
Jaunpur	57	34	25,582
Ghazipur	31	22	10,685
Mirzapur	14	4	4,187
Ballia	38	38	15,279
Total	157	114	64,078
<i>Lucknow division.</i>			
Lucknow	10	13	5,211
Unao	7	14	2,845
Rae Bareilly	5	23	5,711
Sitapur	13	17	4,682
Hardoi	21	21	7,170
Kheri	9	16	3,177
Total	65	104	28,746

Districts.				Number of Islamia schools on 31st March, 1924.	Number of <i>maktabs</i> on 31st March, 1924.	Amount sanc- tioned for 1923-24.
1				2	3	4
<i>Allahabad division.</i>						Rs.
Allahabad	..	..	..	14	22	7,215
Fatehpur	..	..	..	17	14	7,847
Cawnpore	..	..	..	12	18	5,616
Etawah ..	..	..	..	10	9	3,145
Farrukhabad	..	..	..	22	23	3,298
Total				75	86	32,101
<i>Gorakhpur division.</i>						
Gorakhpur	..	..	..	25	67	14,210
Basti ..	..	..	..	8	63	10,743
Azamgarh	..	..	..	29	62	14,055
Total				62	192	39,013
<i>Jhansi division.</i>						
Jhansi ..	..	..	..	6	10	2,311
Jalaun ..	..	..	..	17	6	3,654
Banda ..	..	..	..	10	21	4,391
Hamirpur	..	..	..	3	8	3,630
Total				36	45	13,986
GRAND TOTAL				775	999	3,35,541

REMISSION OF LAND REVENUE IN ROHILKHAND DIVISION.

*18. **Thakur Sadho Singh :** What is the amount of land revenue remitted in the flood affected areas in each of the districts of Rohilkhand division? What are the lines on which remission has been sanctioned?

The Hon'ble Mr. S. P. O'Donnell :

				Rs.
(a) Bareilly	...	...	...	32,296
Bijnor	...	...	...	23,004
Burdaun	...	...	...	23,435
Moradabad	...	...	...	71,684
Shahjahanpur	...	...	...	32,295
Pilibhit	...	...	...	...
Total	...	...	...	1,82,714

(b) Where the damage was confined to loss of crops relief followed the rules contained in paragraphs 168 to 171 of the Revenue Manual. Where loss extended to general and appreciable loss in houses, implements or stock more liberal remissions are given.

INTEREST ON TAQAVI LOANS.

*19. **Thakur Sadho Singh** : Is it a fact that usual interest will be charged for *taqavi* loans advanced recently for sugarcane seed or house building in the flood affected areas ? When will it fall due ?

The Hon'ble Mr. S. P. O'Donnell : (a) *Taqavi* advances for sugarcane will bear interest at the usual rates and be repayable with the *kist* due for the sugarcane crop of 1925.

(b) Commissioners of divisions affected by the floods were authorized where necessary to make advances under Act XII for rebuilding houses destroyed by floods free of interest. The period of repayment depends on the orders passed by the local authorities in each case.

Thakur Sadho Singh : Should it not have been more proper to advance *taqavi* for sugarcane seed free of interest as in the case of *rabi* seed ?

The Hon'ble Mr. S. P. O'Donnell : I think in the case of sugarcane it is reasonable and proper that interest should be paid as it was not a very bad crop.

IMPROVEMENT TRUST, LUCKNOW.

*20. **Thakur Sadho Singh** : What decision, if any, has been arrived at about the reduction of the pay of the superior officers, or the reduction of the subordinate staff of the Lucknow Improvement Trust ?

The Hon'ble Rai Rajeshwar Bali : The honourable member is referred to the resolution which the Government are issuing regarding the Trusts.

Pandit Jhanni Lal Pande : When will it be issued ?

The Hon'ble Rai Rajeshwar Bali : In the next Gazette.

BALWANT RAJPUT SCHOOL, AGRA.

*21. **Thakur Sadho Singh** : What steps are being taken to restore the Balwant Rajput School of Agra to its former flourishing condition when it enjoyed its maximum enrolment some ten years ago ? What action is being taken to remove the causes which have so seriously reduced its enrolment and popularity ?

The Hon'ble Rai Rajeshwar Bali : The case is still under consideration.

SCHOLARSHIPS.

* 24. **Babu Khem Chand** : Will the Government be pleased to place on the table a statement showing the number of scholarships given last year to the students of each of the following classes, viz., European, Anglo-Indian, Indian Christian, Muhammadan, Hindu and depressed classes, receiving education in the higher, secondary and primary classes ?

The Hon'ble Rai Rajeshwar Bali : Approximately seventy scholarships were awarded in 1923-24 to Europeans and Anglo-Indians. Scholarships in English institutions are awarded on the conditions laid down in Chapter VIII of the Educational Code. These scholarships are awarded for precedence in public examinations and not on grounds of religion or caste. Scholarships in primary schools are awarded on the conditions laid down in rules 68 and 69 of the District Board Educational Rules, a copy of which is laid on the table of the honourable member. A calculation of the number of scholarships according to the classification in the question would involve an amount of labour incommensurate with its value and would serve no useful purpose as the figures vary from year to year.

As regards scholarships for the depressed classes, the honourable member is referred to the reply given to starred question No. 18 asked at the Council meeting on the 16th March, 1925.

Starred question No. 18 asked by BABU KHEM CHAND SAHIB at the Council meeting of the 16th March, 1925, and the reply given thereto.

QUESTION.

Will the Government be pleased to place a statement on the table separately showing the number and amount of scholarships given to the students of the depressed classes receiving primary, secondary and higher education in the year 1924-25 ?

ANSWER.

Provision has been made for the award in 1924-25 by district boards of 175 scholarships of the value of Rs. 6 per mensem, tenable in vernacular secondary schools for 33 months to children of the depressed classes, at a total cost of approximately Rs. 12,600 per annum. There are no scholarships in English institutions reserved for children of the depressed classes.

UNSTARRED QUESTIONS.

TRANSFER OF KAIRANA MUNSIFI TO MUZAFFARNAGAR.

1. **Rao Abdul Hamid Khan** : Is the Government contemplating to transfer the munsifi from Kairana to Muzaffarnagar ? What does the Government intend to do with its buildings ?

Mr. J. R. W. Bennett : The matter is under consideration.

ESCAPE OF PRISONERS FROM AGRA JAIL.

2. **Rao Abdul Hamid Khan** : (a) Will the Government be pleased to state the correct number of prisoners who escaped from Agra Jail in the month of September, 1924?

(b) Did they escape from the central or the district jail?

(c) What was the remaining term of their imprisonment and under what offences?

(d) Will the Government be pleased to state the result of the inquiry, if there was any?

Mr. J. R. W. Bennett : (a) Six.

(b) From the central jail.

(c) A statement is placed below.

(d) The inquiry showed that the escape was due to gross negligence on the part of certain jail officials and convict overseers.

Statement referred to in answer to unstarred question No. 2 of the 24th March, 1915.

	<i>Section under which convicted.</i>	<i>Unexpired portion of sentence.</i>		
		Years.	Months.	Days.
(1)	397, 400 and 402, Indian Penal Code ...	24	3	0
(2)	397, Indian Penal Code ...	3	10	15
(3)	397 " " ...	10	0	1
(4)	397, 400 and 402, Indian Penal Code ...	24	3	0
(5)	302, Indian Penal Code ...	13	10	10
(6)	397, 400 and 402, Indian Penal Code ...	37	2	22

3. **Rao Abdul Hamid Khan** : Will the Government be pleased to state the number of prisoners who escaped from different jails during the last five years?

Mr. J. R. W. Bennett : Fifty-one.

REALIZATION OF FINES BY HONORARY MAGISTRATES IN MUFASSIL.

4. **Rao Abdul Hamid Khan** : (a) Is it a fact that the honorary magistrates holding courts in mufassil are expected to deposit the fines realized by them in the treasury of their tahsil within three days?

(b) Does the Government pay to the honorary magistrates the cost of conveying such fines to the tahsil treasury?

(c) If not, why not?

Mr. J. R. W. Bennett : (a) The honourable member is referred to rule 11 of Chapter IX of the High Court General Rules (Criminal) of 1911.

(b) No.

(c) Government are not aware that honorary magistrates generally incur expenditure or desire payment on this account.

RECRUITMENT OF KANUNGOS.

5. **Rao Abdul Hamid Khan** : Will the Government be pleased to state what proportion of candidates is directly recruited from outside and what proportion is to be promoted from patwaris for kanungoship every year ?

Mr. J. R. W. Bennett : Patwaris are not eligible for promotion to supervisor kanungoship, recruitment for which is ordinarily made through the Kanungo Training School. Patwaris are, however, eligible for promotion to assistant registrar kanungoships from which they can rise to the post of registrar kanungo. No proportion is however fixed.

MUHARRAM RIOT AT SAHARANPUR.

6. **Rao Abdul Hamid Khan** : Will the Government be pleased to state the actual number of the Musalmans wounded or killed in the last *Muharram* riot at Saharanpur ?

Mr. G. B. Lambert : Seven Musalmans were killed and 66 wounded in the Saharanpur riots at the *Muharram* of 1923.

TRAVELLING ALLOWANCE OF CHIEF INSPECTOR AND INSPECTORS OF OFFICES.

9. **Rao Abdul Hamid Khan** : (a) Will the Government be pleased to state the expenditure incurred by the Government in travelling allowances of—

(i) Chief Inspector of Offices, and

(ii) four Inspectors of Offices,
in 1923-24; and also the reasons for increase or decrease in each case ?

(b) Is there any, and, if so, what, check exercised by the Government over the tour programme of these Inspectors and Chief Inspector ?

Mr. E. A. H. Blunt : (a) In 1923-24 the expenditure on travelling allowance was Rs. 2,289 for the Chief Inspector and Rs. 4,320 for the four Inspectors.

(b) The Chief Inspector controls the tours of his Inspectors. In the case of the Chief Inspector no special control is required: his duties require continuous and extensive touring for purposes of inspection.

THE BUDGET 1925-26.

DISCUSSION OF DEMANDS FOR GRANTS.

Demand No. 15.

HEAD 35—INDUSTRIES.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I rise to communicate to the Council the recommendation of His Excellency the Governor that the sum of Rs. 10,05,327 be granted under the head 35—industries (*minus* Rs. 4,885 under non-contract contingency—Technological Institute) and to move that this sum be granted.

Before I deliver my speech, I would like to explain why I move this reduction. It is the result of a mistake on the part of the department of having paid this sum from their own resources which we put in the schedules of the budget. That is the reason why I have moved this reduction. I express of course regret that the department made this mistake.

[The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.]

Sir, I will be very brief—as brief as possible—today, because I have given a slight sketch of the activities of this department when reduction in our salary was moved by the honourable members opposite and I would not like to cover the same ground again. However, I may mention this, that, as I said that day, we are going to start three more weaving schools in this province. We are going to convert three of the district board schools into model schools this year. We are going to start one brass-ware school at Benares, and perhaps, although it has not yet been decided finally, we may be able to provide funds by a supplementary estimate to open another leather-working school at Agra. We are also going to give aid to 15 district boards for starting model weaving schools. Here I may bring to the notice of the honourable members one change that we propose to make. In accordance with the recommendations of the Makbul Hossain Committee and in view of the advice of our expert advisers, the principals of our different technical institutions, we have decided to abolish all peripatetic schools, and the amount thus saved we propose to give to district boards for starting new weaving schools. We think that by giving aid to the district boards we would be able to spread our cottage industries, especially the weaving industry, in the rural areas.

As the honourable members are aware, a committee on industries was appointed and its report is about to be printed. We are anxiously awaiting the recommendations of that committee, so that we may go further in the light of the recommendations. I take this opportunity of thanking heartily the members of that committee, especially the President Mr. Burn, who took much trouble in solving the difficult industrial problems, and we are sure that their valuable advice will be of great use to us in future.

We are very anxious to complete our Technological Institute at Cawnpore. We have already collected over a lakh and we have got promises for three lakhs more which we hope to collect soon. After that we will come before the House to give us money for the completion of the building of the institute.

Last year we gave one industrial scholarship and this year we propose to give two scholarships to send two men either to England or any other European country for industrial education.

I think the honourable members will be interested to compare our activities in the Industries department with those of the sister provinces. In the Punjab they have got 20 institutions—both aided and unaided. In the Central Provinces they have got 7 institutions. Here in the United Provinces we have already got 33 institutions, and by the end of this year 15 aided and 5 Government institutions will be started; so that by the end of the year we hope to have 53 institutions working in these provinces. Here I would like to say one word to the honourable members who often attack us for not being very active in the Industries department. We believe that expansion without consolidation is a dangerous thing. If once our movement fails, nobody would look at our institutions, and it would be very difficult to make them popular. It is of course very easy to start 40 or 50 schools straight away, but the first question that should be borne in mind is that there should be an opening for the students when they have completed their courses. If there is no opening for them, I am sure that nobody would like to go to our institutions.

Our cottage industry is faced with many difficulties. First of all there is the foreign competition and then our own mill competition. We are trying to organize our cottage industry in such a way that it may be able to produce cheaper goods and compete successfully with the foreign-made goods. As the honourable members are aware, the rate of exchange is not favourable to us, and well-established foreign industries are pouring in cheap articles and it is very difficult for our cottage industry to face the competition. As a matter of fact our well-established industries are giving us cause for anxiety. For instance, our paper industry is finding it difficult to face the foreign competition. I have mentioned this to prove to the honourable members that we have to surmount very many difficulties in the Industries department.

As regards our policy, I may point out that we are still following the same policy which was laid down by Sir Harcourt Butler, i.e., we are trying to establish at least one technical school at every head-quarters of a division, and we wish to open as many technical institutions as possible in every district to give industrial education. The honourable members will be glad to note that we have already got two institutions in Lucknow, one in Bareilly, one in Meerut, one in Jhansi, one in Gorakhpur, two in Benares and one in Allahabad. In the Allahabad division there are several institutions. In Cawnpore we have got the Technological Institute, the Textile School, the Dyeing and Printing School and the Leather Working School. As I have just said we are starting one more leather school at Agra. The only two divisions where we have not yet got any industrial school are Fyzabad and Munau, and we hope to do something for those divisions as soon as possible.

I now come to the Stores Purchase department. In the matter of the purchase of foreign goods we are subject to the rules framed by the Secretary of State, which are contained in Appendix IV of the Civil Account Code, and in the absence of any special rules for the Local Governments, we have to act according to them. They may easily be considered as quite satisfactory. The purport of them is that anything made in India should be given preference over foreign goods, provided the quality is good and the price is also reasonable. The policy of the Government of India as well as of this Government has been to encourage local industries, and I should like to give a few figures to honourable members in support of this statement. In 1924-25 we purchased goods from foreign countries to the value of Rs. 8,02,000; while in this year's budget provision of a sum of Rs. 64,000 has only been made under this head, which also is mainly due to the fact that apparatus for our Hygienic Institute cannot be had in India. Things bought in the country by the Stores Purchase department in 1923-24 amounted to Rs. 10,92,397, out of which Rs. 8,73,917 represents the value of articles made in India and 50 per cent of the Indian made articles were manufactured in the United Provinces. Honourable members will be delighted to hear that articles, which originally used to be bought in England are now being purchased in India. In 1923 cement, coal tar, hand-cuffs, iron rails, buttons and locks were bought here. In 1924 following more articles were purchased in India—absorbent cotton, paint and glue. I may further mention that we are going to purchase all the red turbans for the police which used to be imported from England, in this province. The procedure that is followed by the department is that every indenting officer has to

[The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.]

write to the Director of Industries, who is the central authority, and if the latter officer says that a certain thing cannot be had in this country, we perforce send our indent to foreign countries.

In the School of Arts and Crafts at Lucknow we have just appointed a new Principal in the person of Mr. Haldar. He is a Bengali gentleman and has won a name in his previous appointment as Principal of the Jaipur School of Arts and Crafts.

Before I resume my seat I wish to make but one remark, and it is this. When I have narrated to the Council an account of the activities of the Industries department, I do not mean, directly or indirectly, to say that we have done anything whatsoever worth mentioning. I admit that very little has been done, and much still remains to be done. In any case, honourable members have a right to know what had been done and what it is proposed to do in a transferred department; and it is for this reason that I have mentioned all the work of the department.

Mr. Mukandi Lal: Would you rule out general consideration of "direction" under motion No. 1?

The Hon'ble the President: If the motion had been a motion to make a nominal reduction I would take that to be a proposal to discuss the general sub-head. This is not really a sub-head: it is the item of salary, and the motion asks for a lump reduction from the total item. That practically means nothing. It is nothing but a question of mathematical deduction based on the previous year's figure. From year to year there must be such changes in the department. The motion means nothing definite, and I propose to leave it until the last when the various detailed items will have been dealt with, and probably then it will be unnecessary.

Mr. Mukandi Lal: I am prepared to cut it down to Re. 1, and then I think we would not be debarred from opening a general discussion.

The Hon'ble the President: If the honourable member proposes to make it Re. 1 and if the House has no objection to this amendment, I would then be willing to allow it to be moved. Is there any objection to the motion being amended?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: No, Sir.

Mr. Mukandi Lal: I move that the demand of Rs. 1,44,848 in respect of the item regarding direction at page 103 of the Detailed Estimates be reduced by Re. 1.

The Hon'ble the President: I might explain that even if this motion is carried, I do not propose to treat it as excluding other motions. Though it is for the reduction of a nominal sum of Re. 1, the actual intention of the motion is not a reduction of the amount by Re. 1 as an economy. It is merely a motion intended to draw attention to various points connected with the whole item. Even if it is carried it will not exclude motions for a larger amount in regard to special items if any member wishes to deal with such items.

Mr. Mukandi Lal: First of all I will take the direction itself, and in this connection I may point out at the very outset that I do not by any means anticipate the recommendations of the Industries Committee of which I happen to be a member. Therefore whatever I have to say today, it will have no reference to the recommendations

of the Industries Committee, and it will be my personal criticism of the Industries department.

The Hon'ble the President : Here again the honourable member is not in order. I cannot take a motion at this stage for a reduction in the total grant, which would be against the rules. Any motion to reduce the whole grant, that is discussion on the whole department, cannot be taken under the rules until the end. The honourable members know that. It is laid down in the rules that a reduction dealing with the whole department has to wait till the end. Whether the framers of the rules were wise or unwise it is not for me to say. We take reductions in individual items and individual sub-heads. We cannot under the rule take a reduction in the whole grant until the end. The honourable member will find the rule. It is rule 30(3) :—

“When several motions relating to the same demand are offered, they shall be discussed in the order in which the heads to which they relate appear in the budget.”

Rule 30 (4) says :—

“No motion shall be made for the reduction of a grant as a whole until all motions for the omission or reduction of definite items within that grant have been discussed.”

The intention at any rate of those who drew up the rule was that an attack on the department as a whole must be deferred to the end. That does not apply to criticisms of individual items or sub-heads in the demand, but it does apply to the demand as a whole. If the criticisms are intended to deal with the demand as a whole, then we will have to wait until the end according to the rules.

Mr. Mukandi Lal : My remarks will be confined strictly to “direction” and not to industries in general. For that I will wait till the end. One question that I have to put is : What will be in future the number of Directors, whether the present Directors are too many or too few in number? The other question is : What will be the position of the Deputy Director or of one of the Assistant Directors in respect of the Stores Purchase department? In this connection I would submit that we need not have a separate Deputy Director, but our Deputy Director could do the work of the Stores Purchase department also as he has been doing up to this time. Why I wanted to say this just now is because there is an apprehension in some minds that when we have the Stores Purchase department in these provinces, there may be additional machinery, there may be additional Directors, additional staff, and so on. The present arrangement of the Stores Purchase department which from the provincial point of view I consider a great necessity in this province can be continued under the present circumstances with the present staff of Directors. There is a difference of Rs. 22 000 and odd between the amount demanded for this year and the budget figures of 1923-24. That is why I had proposed a cut to the extent of that increase, and I want to know whether this increase is necessary or is only a superfluous increase.

I come now to the item of direction. I want to know whether the present Director has directed the industries of this province in a proper way. It has been pointed out by the Hon'ble Minister that they were going to pay proper attention to the cottage industries and that

[Mr. Mukandi Lal.]

they were going to open new technical schools. Now you may open as many technical schools as you like. What we have to see is whether you are turning out proper things from these schools. For instance, take the Gorakhpur Technical School. I understand that at a considerable cost a sewing machine has been manufactured in the Gorakhpur school and at present there is a big clock dial under construction.

Kunwar Jagdish Prasad : May I rise to a point of order. From direction the honourable member is now going to cottage industries. At present we are discussing the head of "direction." They will come subsequently. As for technical institutions, there is a separate sub-head "Technical and Industrial Institutions." Why I say this is that it will be rather difficult to reply.

The Hon'ble the President : That is the point that I was explaining : criticisms on the whole demand cannot be made under this one particular item. When we come to technical and industrial institutions, the first motion that will be dealt with will be No. 35 on the paper. At this stage the discussion will have to be confined to the sub-heads.

Mr. Mukandi Lal : I was only showing whether the direction has been careful in selecting and supervising the institutions. Now take the case of the Gorakhpur school. What I want to point out is whether it is really beneficial for us to turn out sewing machines which we can buy at cheaper rates from abroad. I want facts and figures from the Industries department as to what has been the cost of that machine and whether that machine has been in the market. It was exhibited in an exhibition at Benares. We have to see whether more sewing machines are being manufactured at Gorakhpur and whether it is an economically sound proposition. Further, I want to know whether it is desirable for any of our technical schools to go in for clock making. I understand that at Gorakhpur a big clock is being designed and manufactured on the model of an ordinary pocket watch. I ask whether it is advisable for our industrial schools to indulge in such fancy designs.

Now I come to the textile and dyeing school. What is the necessity for the Industries department to keep two Principals, one for the dyeing school and one for the textile school?

The Hon'ble the President : Where is this?

Mr. Mukandi Lal : At Cawnpore.

The Hon'ble the President : That must come under technical institutes.

Mr. Mukandi Lal : It comes under direction, whether the . . .

The Hon'ble the President : I do not consider that it comes under direction. I have explained at considerable length why I think that a general motion would be difficult under this head. The honourable member thinks it is not difficult. He has shown himself that it is difficult, if not impossible. We cannot have that discussion under this head.

Mr. Mukandi Lal : Very well. But is the business of the direction to see whether it is . . .

The Hon'ble the President : I have stated what I think, and I think the House will bear me out in it. There is no reason why one member should desire to step in and get the first say on the whole subject. Unless

the President permits, there is no right of reply. I give such permission only when the matter is very important. It does not matter who moves the general motion. It will be moved and can be discussed by every member of the House. I will consider this motion as withdrawn from discussion.

Khan Bahadur Maulvi Fasih-ud-din : I beg to move that the demand of Rs. 65,640 in respect of the item regarding the salaries of Directors, Assistant Directors and other officers at page 103 of the Detailed Estimates be reduced by Rs. 3,000.

We are blaming the reserved departments for being top-heavy, and for that reason we should be rather overcautious in the matter of any excess in expenditure under this particular head. I find that at present there is one Director of Industries getting Rs. 1,700 *plus* Rs. 200 as allowance, and there are two Deputy Directors: one of them is in charge of the Stores Purchase department getting Rs. 1,020 per month, and the other is in charge of industrial survey. The latter gets a pay of Rs. 540 as deputy collector *plus* Rs. 225 as allowance. There is one post of Deputy Director which is shown as vacant in the Civil List. There is another post of Assistant Director which is also shown as vacant in the Civil List. Thus by a calculation of the figures I find that the total cost under this head comes to about Rs. 44,000 odd a year. During the current year the figure of the budget was Rs. 62,000, and now this figure is being raised by Rs. 3,000 odd. The whole of the amount budgeted last year, viz., Rs. 62,000, was in excess of the actual expenditure by about Rs. 17 or 18 thousand; and we find that this year there is again an excess of Rs. 3,000. The matter is rather confused. Either it is intended to give these posts of the Director and Deputy Director to senior members of the more highly paid services, or it is intended to employ a larger number of Deputy Directors than is done at present. I find that even one post of Director and Deputy Director was not filled up last year, and for that reason I think that I was first inclined to cut down the figure by Rs. 18,000 more over and above the Rs. 50,000, but I did not do so as I thought probably these two posts might be filled up. But for the increase of Rs. 3,000 I think there is at least no ground or that it is justified.

Kunwar Jagdish Prasad : As my honourable friend the member for Budaun must have noticed, the numbers shown in the Detailed Estimates—that is nine—are the same as for this year. These comprise six superintendents of survey, the Director, the Deputy Director in charge of stores and the second Deputy Director who also acts as personal assistant to the Director, so that we are making no addition to the staff. As regards the increase in the cost, I think the honourable member probably did not notice that in the revised estimate there is an item of Rs. 10,200 which is non-voted. The total figure of Rs. 63,000 has now been increased to Rs. 65,000—this increase is due to the ordinary increments in pay, and to the fact that Mr. Sinha who will be coming back as Deputy Director, Stores Purchase department, will get a higher pay than Mr. Mahabir Prasad. That is the explanation for the increase, but there is no actual increase: it is merely the incremental scale of pay, and the fact that Mr. Sinha who was on special duty in England has now come back and he will be the Deputy Director and his pay is higher than the pay of Mr. Mahabir Prasad. Now the whole pay is shown as votable, whereas last year it was not, as Mr. Shah was a member of the Indian Civil Service and his salary was non-votable.

Khan Bahadur Maulvi Fasih-ud-din: In view of the fact that there is no increase in the the cadre I withdraw my motion.

The Hon'ble the President: Babu Bhagwati Sahai Bedar has a similar motion. Will the honourable member move it now?

Babu Bhagwati Sahai Bedar: I beg to move that the demand of Rs. 65,640 in respect of the item regarding total salaries—direction at page 103 of the Detailed Estimates be reduced by Re. 1.

Sir, I wish to inquire from the Government whether any practical Deputy Director will be appointed shortly who will know practical work?

Kunwar Jagdish Prasad: I don't quite follow what the honourable member means.

Babu Bhagwati Sahai Bedar: I mean a man who will be knowing how practical work is done.

Kunwar Jagdish Prasad: The budget is before the honourable member. As I said just now there is no proposal to increase the staff. The question whether technical institutions should have a Deputy Director as a supervisor is a matter which I understand has been considered by the Burn Committee. The report is not before Government yet, and I cannot say what decision will be arrived at. At present there is no proposal to increase the staff.

Pandit Govind Ballabh Pant: I have one point only, and that I think is more for Mr. Blunt than for the department. Under the head direction you have a Director, Assistant Director, etc., nine in number, drawing pay from Rs. 200 to Rs. 2,250. I do not know if an officer on Rs. 200 a month is directing the activities of the department—if he accepts that technically, then there is no objection to the item being included under this head; but I think it would be clearer to the members concerned if there could be separate sub-heads as to the actual staff engaged on direction and district staff or persons carrying out the directions of the Director. I do not think a man of Rs. 200 is directing the activities of the department, so that it is very difficult for members to follow these figures or understand the figures when they range for direction from Rs. 200 to Rs. 2,250—one could pay a chapras Rs. 200 and jumble up the whole thing.

Mr. E. A. H. Blunt: The actual position is that under salaries are shown what are known as gazetted officers, and it does not matter what their pay is; if they are gazetted they appear there. A gazetted officer is roughly—not exactly—an officer whose name is found in the Civil List. Rs. 200 is the minimum pay of any officer included in this list, which includes the divisional superintendents. The only way in which we could separate them from direction proper would be to make another sub-head "Survey." I think the honourable member will agree that one does not want to multiply minor heads too freely; not only does it make difficulties in the framing of the budget, it presents practical difficulties in the management of the budget and matters of re-appropriation. However, if the honourable member would like to have more details, I dare say we can increase these heads to a certain extent by separating Director, Assistant Director and divisional superintendents, giving the number of each and the time-scale of each. That is what used to be done in the old days up to the Reforms, and then for some reason it was abandoned. Of course to separate them means more expense for printing, etc., and a

certain amount of extra labour, but if the Council wish it I will see what can be done.

The Hon'ble the President: There are now two motions before the Council. The first is for a reduction of Rs. 3,000 in the item for Rs. 65,640 which the honourable member has asked leave to withdraw. Is it your pleasure that the motion be withdrawn?

Motion by leave withdrawn.

The Hon'ble the President: The next is the motion of Mr. Bedar's. The question is: That the demand of Rs. 65,640 in respect of the item regarding total salaries be reduced by Re. 1.

Babu Bhagwati Sahai Bedar: I also withdraw my motion.

Motion by leave withdrawn.

Khan Bahadur Maulvi Fasih-ud-din: I beg to move that the demand of Rs. 38,363 in respect of the item regarding establishment—clerks of the Assistant Director and other officers at page 103 of the Detailed Estimates be reduced by Rs. 4,000.

I find that the number of clerks is being increased from 25 to 29 and also the scale of pay of the stenographer is being increased from Rs. 90 rising to Rs. 140 and Rs. 140 rising to Rs. 200. In the first place I do not understand the reason of this increase in the number of clerks when the number of the members of the direction staff remains unaltered. And I do not find any reason for increasing the pay of the clerk of the position of a stenographer to such an absurdly high figure of Rs. 140 to Rs. 200. For this reason I bring forward this proposal to cut the increase which has been effected under this head.

The Hon'ble the President: There is a motion in the name of Dr. Ansari.

Dr. Muhammad Naim Ansari: It refers to a specific item—the pay of the head clerk.

The Hon'ble the President: Will you move it?

Dr. Muhammad Naim Ansari: I move that the demand of Rs. 38,363 in respect of the item regarding establishment of clerks at p. 103 of the Detailed Estimates be reduced by Rs. 1,440.

I see that in the budget the pay of the head clerk is put as Rs. 420. I sent a similar motion in connection with the Medical budget, but the explanation given was that the head clerk there did the work of Personal Assistant to the Inspector-General. But here the Personal Assistant is quite separate. So there should be no difference in the level of the pay of the head clerk of the Industries department. He should be put on the average pay of Rs. 300 a month.

Kunwar Jagdish Prasad: As regards the point raised by my honourable friend the member for Budaun, I may say that the increase in the number of clerks is for the Stores Purchase department. The activities of the department have been increasing and the Director had been pressing the Government unsuccessfully for a time for an increase. It is now felt that the increase of work is so large that without additional clerks the work will suffer. So four clerks have been added to cope with the work of the Stores Purchase department.

As regards the increase in expenditure, part of it is due to increments to clerks—I think that comes to Rs. 1,848—and part of it is due to the

[Kunwar Jagdish Prasad.]

entertainment of four extra clerks. There is one other minor item which I need not mention to the Council.

As regards the pay of the head clerk, the gentleman who is occupying the post has been in service for 19 years, and I believe this pay of his was fixed about four years ago. He has completed 19 years of service, and I do not know whether my honourable friend would desire that we should reduce his scale of salary now.

Dr. Muhammad Naim Ansari: The head clerks in other departments get a maximum of Rs. 300 whether they are of 19 years' service or 30 years' service.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: As has been just explained by the Industries Secretary, the position of this clerk in the time-scale was fixed four years ago. Now he is drawing nearly Rs. 360. Rightly or wrongly this scale has been fixed and he is already drawing Rs. 360, but it rests with honourable members to decide whether, after he has served in the department for 19 years, we should send him back to the Rs. 200 or Rs. 250 grade.

As regards the stenographer to the Director of Industries, of course the Director has been pressing us year after year the necessity of increasing his pay, but we have been refusing it. Now we have given way. He thinks that this man is a very competent man and that he should be given this increase.

As to the increase in the number of clerks in the Stores Purchase department, I might bring to the notice of the House that in 1921-22 the correspondence in the Stores Purchase department amounted to 20,000 and odd, and now it has risen to nearly 29,000. I think the department is expanding, and as we buy more and more things in India and try to get all the materials in the country the department is bound to expand, and with its expansion there will have to be an increase in the number of clerks also.

The Hon'ble the President: The question is that the demand of Rs. 38,363 in respect of the item regarding establishment—clerks of the Director, Assistant Director and other officers be reduced by Rs. 4,000. Motion negatived.

The Hon'ble the President: The next is the motion of Dr. Ansari's. The question is: That the demand of Rs. 38,363 in respect of the item regarding establishment of clerks be reduced by Rs. 1,440.

Motion negatived.

Kunwar Surendra Pratap Sahi: I move that the demand of Rs. 19,241 in respect of the items regarding service postage and telegram and other including petty constructions and repairs at page 103 of the Detailed Estimates be reduced by Rs. 5,000.

If the honourable members will please turn to page 103 of the Civil Detailed Estimates they will find that in the year 1924-25 a sum of Rs. 1,900 was budgeted to cover the expenditure on postage and telegram charges. But this year the budget estimate has risen up to Rs. 2,600. Thus there is a difference of Rs. 700. In my opinion when the rates of service postage and telegram charges are the same as last year, there is no reason why there should be such an increase in this figure. Under the head "Other charges" there is a substantial increase of about Rs. 1,000, i.e., it has risen to Rs. 5,652 from Rs. 4,317. Then also under

the head of Petty construction and repairs there was nothing in the year 1924-25, while this year a largesum of Rs 6,389 has been budgeted. In this year of financial difficulty, I think, if these items and the expenditure under the head of Petty repairs and other had been reduced it would have been a good saving. I hope the Hon'ble Minister will accept the motion.

Rai Bahadur Babu Ram Nath Bhargava : I move that the demand of Rs. 19,241 in respect of the items regarding contingencies, direction, 35—industries at page 103 of the Detailed Estimates be reduced by Rs. 2,000.

The object of my motion was to draw the attention of the House to the points which have been shown by my honourable friend who has just preceded me. Under the head Telegram and postage charges there is an increase of nearly Rs. 1,000, and under "other" there has also been an increase from Rs 4,357 to Rs. 5,652 ; for petty constructions and repairs there was no provision last year, but this year it has been made of Rs. 6,300. In the note below, on page 103, I see that Rs. 5,000 has been included for the Director's reserve. I want to know for what this reserve is intended.

Lala Mathura Prasad Mehrotra : As a similar motion has already been moved by my friend Rai Bahadur Babu Ram Nath Bhargava, I will not move my own motion, but will speak upon the same. As has already been pointed out that on page 103 of the Detailed Estimates there has been a substantial increase in two items, viz., with regard to postage stamps and telegram charges in which there is an increase of Rs. 700 and so is in the item under "other". We do not know what "other" means. We perfectly understand what the items "purchase of books, rents, service postage and telegram charges" mean. But we do not know what does the mysterious word "other" mean, and it is very surprising indeed that this head "other" has got a substantial increase of Rs. 1,345 this year. When we do not understand the meaning of the head, we do not know why there has been made a substantial increase. So I want an explanation from the Hon'ble Minister of Industries upon this point, and I hope that he will be kind enough to accept this reduction of Rs. 2,000.

Mr. B. J. K. Hallows : I will deal with this mysterious head "other" first. I admit that it is somewhat difficult to tell what it means, but it requires explanation, I think, and not justification. There is an increase of Rs. 250 for a new telephone in the Director's office. Also a duplicator in the same office has to be purchased and two cycles to replace the old ones. Further, this year *chas-chas* tatties will be provided.

[A voice : "Are they provided yet?"]

Mr. B J K. Hallows : I understand that they have not yet been provided. Also there will be charges for lights and fans, and what I wanted to bring out was that the cost last year for some of these things was met by mere re-appropriation. Therefore, it only appears to be an increase this year, but is not really so.

There are two other heads which have been mentioned. One is service postage and telegram charges. There was an increase of Rs. 700 in this. The explanation is as follows. Two years ago, it may be remembered, there was an increase in the postal and telegraph rates. We may say that if that was so two years ago, why was not there an increase

[Mr. B. J. K. Hallows.]

in the budget last year. There was an increase, but it was hidden :—It was re-appropriation once again.

Lala Mathura Prasad Mehrotra : On a point of order. Was this re-appropriation made through supplementary estimates ?

Mr. B. J. K. Hallows : The Director of Industries had the power himself. Further, there has been a large increase of correspondence, as has already been told you, in the Stores Purchase department. The number of letters has gone up from about 10,000 to 30,000. I am also informed that owing to the questions in this Council there has been a further increase of telegrams.

So much for the increase of Rs. 700 in postage and telegram charges. There is also a charge which finds a place in this budget of Rs. 6 389 for petty constructions and repairs. This is due to the fact that minor works which have hitherto been carried out by the Public Works department are now to be carried out by this department. Consequently, there is no increase. It appears in this budget and not in the Public Works department budget.

Kunwar Surendra Pratap Sahi : I do not desire to press my motion.

Rai Bahadur Babu Ram Nath Bhargava : In view of the explanation given, I do not press my motion.

Lala Mathura Prasad Mehrotra : I do not wish to move my motion.

Motions by leave withdrawn.

Dr. Shafa'at Ahmad Khan : I move that the demand of Rs. 56,460 in respect—

The Hon'ble the President : I am treating this as a general motion. The honourable member might move it as a reduction from the total demand. The total demand is Rs. 1,39,880.

Dr. Shafa'at Ahmad Khan : I move that the demand of Rs. 1,39,880 in respect of the item regarding Technological Institute, Cawnpore, at page 103 of the Detailed Estimates be reduced by Re 1.

The object of my motion is merely to elicit information from the Government. The Technological Institute was organized with a definite aim in view and recently a resolution came up before this Council which was moved by my friend Rai Bahadur Vikramajit Singh regarding the establishment of a Technological University. The position of the Technological Institute also was discussed. The points I should like to ask the Government to elucidate are. Have they decided to alter the present position of the Technological Institute? In other words, are they going to make it a real Technological Institute teaching various subjects and making provision for its eventual affiliation with some university? In other words, is the Technological Institute going to be self-contained, or is it going to be affiliated with any institution of university standard. The next question I should like to put is what is the position with regard to the condition of students who are undergoing instruction in that institute at the present time. Is it or is it not a fact that the students who undergo instruction at the present time are not given any degree which is recognized by other universities in India or in England. Now, I must make it clear that I do not attach undue importance to

mere degrees. I look to the intrinsic merit of the worth of a person and do not look to mere show. But you have to judge by the effect upon the students of the lack of degrees. I have come across students who, though very able and exceedingly intelligent, were debarred from employment simply because they happened to lack that mark of distinction—an academic degree. That is the second question I should like to put. Are they or are they not going to provide for some under-graduate course in the Technological Institute or is it going to be a post-graduate institution which can be taken only by persons who have passed the B.Sc. examinations. The Hon'ble minister has just mentioned that subscriptions are being raised and that rupees one lakh has been promised. I think he will correct me if I am wrong.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Rupees one lakh has been collected.

Dr. Shafa'at Ahmad Khan : Well, rupees one lakh has been collected and three lakhs have been promised. I am very glad indeed that there has been such a generous response to this appeal and I hope and plead that more money will be collected soon, but I should like to know the object with which this collection has been made. What was the object? Was it the reconstruction of the institute along certain determined, definite, clear lines or was it merely an eventual possibility of utilizing the amount for any purpose to which the institute could be put. In other words, is there a very definite line of policy at the back of this collection or is there a possibility of using this amount some how or other later on. The next point that I should like to find out is the possibility of the establishment of a Technological University. Have the Government decided or do they intend to formulate any plan whereby an institution of the status and standard of the school of Technology in the University of Manchester may be established? If so, have they also considered the question of the cost that will be involved? I should also like to ask the Government if they are going to have more teachers for the institute. So far as the Principal of the Institute is concerned, I have the greatest respect for him. I should like to ask the Government to lay down specific qualifications and these qualifications will be determined by the type of instruction they are going to provide now. Finally when the Government appoint a committee for the consideration of this question, I hope they will also admit members of the Universities of Lucknow and Allahabad and other institutions to that committee and not confine it to investigation by the Advisory Committee of the Technological Institute.

Mr. Mukand Lal : First of all, I must assure you, Sir, that wherever I wish to make a few observations on any motion before the House it is only for the purpose of throwing some light on the subject and not with a view to making speeches, as seems to be the impression of the Hon'ble the President. I am sorry for that impression.

What I wanted to point out about the Technological Institute is that I am not offering my criticism as regards reforms from the technical point of view, but from the economic point of view. That is to say, I want to suggest to the Industries department that the offices of the principals of the two institutes of Dyeing and Textiles should be combined in one person. It will not only save the salary of one individual but there will be no duplication of papers and periodicals, as I understand at present there is one set of papers for the dyeing and another set

[Mr. Mukandi Lal.]

of papers for the textile institute. Similarly, there are at present different staffs of chaprasis and other persons for the different schools and it will effect some saving in this respect too if the offices are combined.

Kunwar Jagdish Prasad: I am sorry to interrupt the honourable member, but I would like to tell him that the Dyeing and Textile Institutes have nothing to do with the Technological Institute. They are quite different institutes.

Pandit Govind Ballabh Pant: I will put only one or two questions. I would like to know from the department if they have made any permanent arrangement for linking up the Technological Institute with certain commercial concerns, so that the students receiving theoretical training there can also receive practical training in the institutions continuously.

The second point that I want to make is whether the proposal of the Economy Committee for reducing the number of scholarships or the amount thereof, has been accepted by the Government. I am personally opposed to it. The third thing that I want to put is whether, the teaching side of the institute having been accepted by the Government as part of the institute itself, they are satisfied with the number which they recruit or whether they have any idea of increasing the number.

Further certain students after receiving their training from that institute came out in 1924. I want to know whether those students have succeeded in finding suitable employment and, if so, what remuneration they are receiving.

Lastly, I want to know whether any research work was done and whether any discoveries were made which are being used by the commercial public in these provinces.

Kunwar Jagdish Prasad: I shall give first a very brief history of the Technological Institute. The question as to what the aim of the Technological Institute should be was considered by a committee in 1920. It was presided over by the Director of Public Instruction and among its members were Mr. Chintamani, Sir Tej Bahadur Sapru and other public men and also expert educationists. The committee decided that the Technological Institute should not only go in for research, but should also combine research with teaching. This recommendation of the committee was accepted by the Government in 1921. The committee also recommended that the instruction to be given in the Technological Institute should be divided into four sections. There was to be a section of general and applied chemistry, a section of the chemistry of leather, a section of the chemistry of oils, and a section for the chemistry of bleaching, dyeing and calico printing, including the treatment of textiles. They recommended that for the time being there should be only these three sections. Students were admitted in July, 1921, for the first time. In that year only two sections were opened and it was one of the recommendations of the committee that in the beginning only three students in each section should be admitted. In 1921 therefore only six students were admitted and they graduated in 1924.

My honourable friend, Dr. Shafa'at Ahmad Khan, wants to know what are the qualifications of the staff of the institute. I need not mention the qualifications of the Principal, Dr. Watson. They are, I

think, too well-known to the honourable members. There are four research chemists, of whom one is an M.Sc. of the Calcutta University. Dr. Chatterji, who is a D.Sc. of the Allahabad University, has been sent to England as a State scholar. Mr. Mulany is an M. Sc. of the Bombay University and Mr. Sen is an M.Sc. of the Calcutta University. We have, therefore, a competent staff as far as one can judge from the degrees they hold. The second question which my honourable friend asked was as to what would be the future of the Technological Institute as regards its affiliation to a University. In view of the long discussion that took place about the establishment of a University at Cawnpore, I need not repeat what was said on that occasion. The House rejected the proposal and the position has not altered since that debate took place.

He also wanted to know what were the subscriptions that had been collected. When Sir Harcourt Butler was to leave the province, it was decided, in view of the fact that the Technological Institute at Cawnpore was established through His Excellency's efforts continued over a series of years, to appeal for subscriptions in order that the Institute may be called after his name. The proposal is that the Institute should be called the Harcourt Butler Technological Institute, Cawnpore. His Highness the Nawab of Rampur has already paid a subscription of one lakh, and His Highness the Maharaja of Benares has promised Rs. 50,000, part of which has been paid. Among the other generous donors may be mentioned the names of His Highness the Raja of Tehri, my honourable friend, the Home Member, and the Hon'ble Minister of Industries, the two latter of whom have promised Rs. 30,000 and Rs. 10,000, respectively. In this way, the Council will realize, we hope to commemorate most befittingly the services of one of our great Governors to the cause of industrial progress in these provinces.

Now, I turn to the question of my honourable friend, the leader of the Swaraj party. He wanted to know what arrangements there were to bring the students of the Technological Institute into contact with the industrial world.

Such students as study the chemistry of leather go to the Government Harness and Leather Factory at Cawnpore for practical training; while those who belong to the section of the chemistry of oils, go to the oil mills at Cawnpore and in other provinces. Only recently the Principal of the Institute himself took his students to Bombay and Calcutta in order to acquaint them with the industrial conditions there.

The Hon'ble Pandit further inquired as to whether the graduates who had passed out of the Institute had been able to secure any employment.

As I stated a little while ago, only six graduates passed in 1924. One of them has got a post in Cawnpore on Rs. 200 per month plus free quarters. Another has got employment in Bihar under Messrs. Begg, Sutherland & Co. on a pay of Rs. 200, besides free quarters. As regards the remaining four graduates, I am afraid they considered the pay that was offered to them rather inadequate, but I have every hope that, in course of time, they too will be able to secure suitable employment. There is yet another question of the honourable member for Naini Tal for me to reply, and this relates to the number of students that can be admitted to the Institute.

As I have already pointed out, the committee, which was specially appointed for the purpose, recommended that three students be admitted

[Kunwar Jagdish Prasad]

to each section. This rule has been relaxed. The Principal has admitted this year nine students, who are receiving stipends, to the Institute. Besides these, five others have been admitted who will be "non-stipendiary." In all, there are 32 students receiving instruction at the Technological Institute. With regard to the question of stipends, I should like to point out to the honourable member that the Economy Committee recommended that they be reduced from Rs. 75 to Rs. 25 or Rs. 20. The Government gave this matter their very careful consideration, and have decided that for the time being the future entrants should get Rs. 40 per mensem instead of Rs. 75 per mensem.

Dr. Shafa'at Ahmad Khan : In view of the very reassuring reply of the Hon'ble Kunwar Sahib, I beg to withdraw my motion.

Motion by leave-withdrawn.

Lala Mathura Prasad Mehrotra : I beg to move that the demand of Rs. 4,957 in respect of the item regarding allowances, honoraria, etc., direction, 35—Industries, at page 104 of the Detailed Estimates be reduced by Rs. 1,457.

If honourable members will please turn to page 104, they will find that under this head in 1923-24 a sum of Rs. 2,960 was budgeted. In 1924-25 it was increased to Rs. 4,537, but the result was that only Rs. 3,500 could be spent. This year it is proposed to provide for Rs. 4,957. There is, therefore, an excess of Rs. 1,457 between the amount actually spent last year and the provision for this year, and I move that this amount be reduced and hope that the Hon'ble Minister will accept it.

Rai Bahadur Thakur Hanuman Singh : I beg to move that the demand of Rs. 4,417 in respect of the item regarding travelling allowance at page 104 of the Detailed Estimates be reduced by Rs. 1,000.

The Institute staff does not stand in need of travelling, and so I should like to inquire why provision has been made.

Kunwar Jagdish Prasad : The increase is probably due to the fact that the office of the Industrial Chemist now forms part of the Technological Institute. As regards the travelling allowance, the Assistant Industrial Chemist has to go about the province in order to make inquiries, and for this purpose provision has had to be made in the budget.

Mr. E. A. H. Blunt : I rise to correct my honourable friend on my left (Kunwar Jagdish Prasad). The increase is not due to the Industrial Chemist at all. It is due to the allowances which are given to the foreman of the Harness and Saddle Factory.

Motion of Lala Mathura Prasad Mehrotra agreed to.

Rai Bahadur Thakur Hanuman Singh : I rise to move that the demand of Rs. 19,058 in respect of the item regarding scholarships at page 104 of the Detailed Estimates be reduced by Re 1.

Sir, I find that the amount for scholarships for the current year was Rs. 24,975. The provision for the next year has been reduced to Rs. 19,058. In the Technological Institute or any other such institutes it is only the poorer classes of students who seek admission. The son

of a moneyed man or an aristocrat does not go into such schools. Is the reduction in the amount of scholarships meant to diminish the number of students who like to be admitted to such schools? I think that the number of scholarships should be increased and not decreased with a view to attract a larger number of students with better brains. This will result in an increase of good men with superior knowledge of technology.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : As it was just explained by the Industries Secretary the decrease is due to the fact that the Economy Committee recommended that we should cut the stipend to Rs. 20 or 25 a month instead of Rs. 75. Now it is Rs. 40. Government considered the matter and decided that the amount should be neither Rs. 70 nor Rs. 25, but Rs. 40.

Rai Bahadur Thakur Hanuman Singh : What did they use to get before ?

Kunwar Jagdish Prasad : They used to get Rs. 75 before. The Economy Committee recommended that the amount should be Rs. 25 or Rs. 20 and we have decided to give Rs. 40 to the new students.

Rai Bahadur Thakur Hanuman Singh : Was there no need of increasing the number of scholarships ?

Kunwar Jagdish Prasad : As I said in the explanation I gave before, only three students per section were to be admitted and everyone of those gets a scholarship and each of them used to get Rs. 75 a month; but, in view of the recommendation of the Economy Committee, the amount of the scholarship has been reduced from Rs. 75 to Rs. 40 and as I said, this year we have admitted 14 students, nine of whom are stipendiary and five without stipends.

Rai Bahadur Thakur Hanuman Singh : I beg to withdraw my motion.

Motion by leave withdrawn.

Chaudhri Sheoraj Singh : I beg to move that the demand of Rs. 2,300 in respect of the item regarding the rent (contingencies, non-contract) at page 104 of the Detailed Estimates be reduced by Rs. 1,400.

The increase under this head is about Rs. 1,700 and it does not appear why there should be an increase four times the expenditure of the current year. I should like to have an explanation of this abnormal increase from the Government and as to the nature of rents for which this sum has been provided. There is always a tendency on the part of officers to get as much money for contingencies as they can lay their hands upon. Contingencies can be allowed only when they are necessary.

Kunwar Jagdish Prasad : My honourable friend, the Minister of Industries, in presenting the budget has already moved a reduction of Rs. 4,185 in which this item was also included. My honourable friend only asks for a reduction of Rs. 1,400 and the Minister has already made a reduction of Rs. 4,185.

Chaudhri Sheoraj Singh : In view of the explanation given by the Education Secretary, I beg leave to withdraw the motion.

Motion by leave withdrawn.

Chaudhri Sheoraj Singh : I beg to move that the demand of Rs. 28,407 in respect of the item regarding the other (contingencies, non-contract) at page 104 of the Detailed Estimates be reduced by Rs. 2,500.

[Chaudhri Sheoraj Singh.]

The honourable members will find on page 104 of the Detailed Estimates that under the item "Rents" there is another item "Other." The sum provided under this item is Rs. 28,407 and the budget estimate for 1924-25 was Rs. 25,949. There is thus an increase of about Rs. 2,500. I move that the demand be accordingly reduced.

Kunwar Jagdish Prasad: I have just explained that the Hon'ble Minister has already made a reduction of Rs. 4,185.

Motion by leave withdrawn.

Pandit Bhagwat Narayan Bhargava: I move that the demand of Rs. 7,16,003 in respect of the item regarding total technical and industrial institutions at page 104 of the Detailed Estimates be reduced by Rs. 100.

I shall be very brief as I understand that the Government must be very anxious to admit us to the "jails" after lunch. I simply want some information from the Government which I have been seeking for the last six months about the technological institute at Jhansi, but which I have failed to get. The auditors went to Jhansi and audited the accounts in the month of September or October last, I believe. At that time I was told that there was an embezzlement in that school of about Rs. 75,000 during the last four or five years since the very establishment of that institution. I had put several questions about it in detail, but proper information was lacking on account of certain incomplete inquiries. I also understand that the Director of Industries went to Jhansi to make inquiries. I am also told that the auditors have given out that several vouchers are missing, that accounts of some years pertaining to certain items of the school have been destroyed. I am also told that the rent of the quarters of the Principal was also misappropriated. I am also told that the money granted by the Government for prize distribution for Durbar Day and certain other items which I have already made known to the Government in my questions have also been misappropriated. I wish to have detailed information about that matter. I do not believe that the Government is going to shelve the matter and waste public money in that way.

The other point which I wish to make out is to ask the Hon'ble Minister of Industries to change his policy of establishing technical schools at the headquarters of each division. I want him to be more generous and to establish at least weaving and dyeing schools not only at the headquarters of each division but at the headquarters of each district. It is not for big towns and cities that we want such institutions, but it is really for the benefit of the rural areas that we want an extension of that policy. It has been repeated in this honourable House several times that our indigenous industries have mostly died out or have been killed, and the result has been that the question of unemployment is staring us in the face. This question was thoroughly debated in the discussion on technical education in this House, a few weeks ago, and I do not want to cover the same ground. I shall ask the Hon'ble Minister to give substantial grants to the district boards for establishing weaving and dyeing schools in each district and I believe that their financial difficulties will be greatly lessened in that way.

Pandit Nanak Chand: I move that the demand of Rs. 7,46,443 in respect of the item regarding total technical and industrial institutions at page 104 of the Detailed Estimates be reduced by Rs. 10.

Under this motion I wanted to draw the attention of the Hon'ble Minister of Industries to the case of the Meerut Leather-working School which I know was visited by the Hon'ble Minister himself and the work of which was appreciated by the Hon'ble Minister. We have got in this province two leather schools, one at Cawnpore and the other at Meerut. Both of them have got almost the same work to do and have to deal with the same number of students. The courses and curricula are the same, yet we find that in the matter of salaries the staff of the Meerut school is treated rather illiberally. I would also request the Hon'ble Minister to go into the question of stipends for the students. No stipends are given to the students at Meerut while a number of stipends are given to the students at Cawnpore. As regards the turnover of commercial operations, the commercial operations at Meerut exceed in amount those at the Cawnpore school. Meerut school requires some additions in the staff. There is a great disparity in the pay of the heads of these two institutions. I think the Hon'ble Minister will go into this question and will set it right.

Pandit Yajna Narayan Upadhyaya: I beg to move that the demand of Rs. 7,16,903 in respect of the item regarding technical and industrial institutions at page 104 of the Detailed Estimates be reduced by Rs. 10.

When the Hon'ble Minister was comparing the figures of the other provinces and the industrial institutions of other provinces with the figures in these provinces my mind went to one of the well-known Sanskrit shlokas? Which runs thus:—

अधोऽधः पश्यतः कस्य महिमानोपजायते । उपर्यपरि पश्यन्तः, सर्वे एव दरिद्रा इति ॥

It means that when a man directs his attention to those who are occupying a lower position in society his mind gets exalted, but when he directs his attention to those who are occupying a higher position in society he feels rather a bit humiliated. So I submit, Sir, was the condition of the Hon'ble Minister when he was pleased to compare the figures of this province with the figures of Central Provinces and Punjab—I would draw his attention to the Madras Presidency and ask him to follow Madras, which really has done something for the improvement of industry. If these lines are followed by other provinces I have implicit confidence that this province shall be in a position to do right thing for the improvement of industries. I submit, Sir, that this province urgently stands in need of improvement in industries, without which agriculture cannot flourish. The other day the Hon'ble Minister has admitted the poverty of the people of this country and that poverty cannot be removed unless and until industries are properly organized and systematically worked. Cottage industries are in a hopelessly wretched condition in this province—I do not see any cottage industries have been developed or worked properly in this province. So I submit special attention should be directed to the development of cottage industries. I have to say something about technical institutions; but I shall say simply to the Hon'ble Minister that these institutions while making researches on industries should pay special attention to the villages and point out which of the industries will be developed in villages. Lastly, I must direct the attention of the Hon'ble Minister to the weaving schools which are to

[Pandit Yajna Narayan Upadhyaya.]

be opened in various districts. When the schools are opened, the Hon'ble the Minister should take into consideration the stages of the development of the schools. I say in the preliminary stage the school will require big salaried officers in order to organize the schools. As soon as the schools are organized the Minister will have to pay special attention as to how the school will be in a position to be self-supporting. It is essentially necessary for the Department of Industries to make the institutions self-supporting. As soon as it is self-supporting the Minister should pay special attention to make schools profitable and when they become profitable it is the duty of the Minister to hand over the institutions to the co-operative bodies so that the villages could be in a position to derive advantage from these institutions. In this connection I wish specially to invite the attention of the Minister to the report of the Baroda State. The very same thing is being done. Government introduces that industry and encourages it and improves it. Afterwards that industry is handed over to the people in the form of co-operative societies and other things. So, I submit, so long as these institutions are not made beneficial to the people of the country—I mean the villagers, they are really of no use. Then, lastly, I would invite the attention of the Hon'ble Minister to the weaving school of Benares. In reply to several of my questions it has been said that about 200 rupees per student is spent annually in the institution, but I submit, Sir, that the big salaried officers of the institutions may be sent to some other institutions where the Hon'ble Minister wants to open some new schools and this institution may be handed over to the villagers so that they may derive benefit from it. With these words I move this cut.

Babu Damodar Das: There are three main industries in Benares. One is gold thread, the second is weaving and the third is brasswork. First I will take gold thread. There was a recommendation that a man be sent to Europe to learn how to draw silver thread, but so far as I know no man has yet been sent. This industry is handicapped by the dumping of French gold thread, in spite of the thirty per cent. duty. Even this duty the Government threatened to take away, but I am glad to say this has not been taken away till now, and if it is done away with by a single stroke of the pen, the whole industry of Benares will be wiped out. And, in this connection, I would request and emphatically request the Minister for Industries to represent to the Government of India that if this duty is removed this industry of Benares regarding this gold thread will go to the dogs.

This industry cannot compete with the French companies unless and until at Benares there are factories to draw silver threads, and this cannot be done unless Government comes forward and helps the people to get proper machinery either from France or Germany. So far as I know no other country in the world manufactures such machinery. And the best way to help this industry is to ask people who have already started this industry to proceed to Europe, either to France or to Germany, and learn this work, and not to send raw students of the college who know nothing of this industry and who may, perhaps, come back from England knowing nothing, as fresh as they went. As regards the Weaving Institute of Benares I can assure the Hon'ble Minister that it is doing practically nothing, it is as bad as if it was not in existence at all. It is turning out a few students, who, I can assure the Hon'ble

Minister, know nothing about that industry and practically they take to some other business and not to this business, and unless and until this institution is handed over to the municipal board, and if that refuses to take it, then to some other institution, say, the Harish Chandra School or to the weavers or to those people who actually work in this department or who are manufacturers or who deal in kosi silk, this institution can be of no practical value or benefit to the people of Banares.

As regards brasswork, I am equally certain that this institute will be of no use unless and until it is given to some local body—either the Harish Chandra School or some other institution, or it is handed over to those people who are actually dealing in these things, because they know the ins and outs of this industry and those people who are sent from outside know nothing of it and try to impose their own theories which bear no fruit.

Rai Bahadur Thakur Hanuman Singh : I desire to be enlightened on certain points in connection with technical and industrial institutions. In the first place, I have not been able to know for what reasons the numbers of "Principal and other gazetted officers" have been reduced from 18 to 15—there is a reduction of three. Is it due to the abolition of certain posts or is it due to the stoppage in the coming year of certain kinds of instruction which used to be imparted in those schools? Then I come to the need of technical education in the province. Much has been said by the honourable speakers who have preceded me, so I desire to be very brief. Unless at least one school is established for imparting technical education in each district, I think the progress of industrial education cannot be considered to be satisfactory. At present the people are not so much inclined to industries as to send their sons to distant places, even to the headquarters of a Commissioner's division, to receive education. At the same time, I wish to say, Sir, that the prejudice which existed in former days to undertake certain industries which were not hereditary or which were not the professions of their ancestors, is very rapidly wearing out and all classes of people are prepared to take up any industry which may be profitable. Therefore, it is very necessary that industrial schools should be established as soon as may be at the headquarters of each district. Without this there will be no encouragement to industrial education and consequently to the industrial progress of the province. In the districts weaving schools are also needed. At present people are much more inclined to weave than engage themselves in any other professions, because weaving in the first place is considered to be a favourite pastime of Mahatma Gaudhi, who is so much respected in the country. In the second place weaving does not cost so much as other industries. One may do the weaving of cloth in his own home without any large capital at his disposal. I also think that an increase in the number of scholarships is also very very desirable with a view to attract a larger number of students to receive industrial education in the institutions which are at present in existence. Then I find that there is a provision of Rs. 25,000 which is at the disposal of the Board of Industries. I desire to know how that amount is spent and in what way it is disposed of by the Board of Industries.

The Hon'ble the President : There are two other motions, Nos. 33 and 34 in the name of Thakur Shib Narain Singh and Hafiz Hidayat-Husain : Do they refer to any specific items?

Hafiz Hidayat Husain : Mine refers to a specific item with regard to the textile and dyeing school.

The Hon'ble the President : I wish to know if it is a formal reduction or if the honourable member refers to some item in the budget where he would like an economic reduction to be made ?

Hafiz Hidayat Husain : I will make a formal reduction. I wish to move a reduction of only Re. 1. I want to draw the attention of the Government to the fact that a great deal of economy can be effected if the dyeing school and the textile school at Cawnpore be amalgamated. I have drawn up a scheme from which it will appear that a saving of Rs. 6,134 could be effected at once. That is to say, that by amalgamating the two schools—the textile school and the dyeing school—we will effect the following savings :—

			Rs.
1 Assistant in chemistry	...	...	1,980
1 Assistant in dyeing	...	...	1,680
1 Mechanical assistant...	...	...	900
1 Clerk	...	...	732
2 Servants	...	...	252
1 Medical Officer	...	...	240
Contingencies (books and stamps)	...	...	250

That comes to ... 6,134

It is just possible that with a combination of the budgets there will be still more saving, but I think that this reduction of Rs. 6,134 could be effected at once.

The second reason for this amalgamation is that we will thus be doing away with duality of control. On account of these two schools—dyeing and textile—being situated in one and the same compound a great deal of difficulty is being experienced with regard to the management of the staff and the menials, and so forth. There is dual control, in school, in workshop and in hostel. I remember last year there was a dispute with regard to the sweeping of the latrine, and the point was who was to do, was it the employee of the dyeing school or the employee of the textile school.

Then with this combination there will be saving of accommodation. At present there are two offices, one for the head master of the dyeing school and the other for the principal of the textile school. There are two other office rooms for their clerks. If these two offices are amalgamated, then we can have four or five rooms to spare, and these could be utilized for class rooms. Therefore I think that with the amalgamation of these two schools greater efficiency and economy will be secured. I recommend therefore that these two schools at Cawnpore be amalgamated.

Mr. Muhammad Aslam Saifi : First of all I should like to congratulate the Hon'ble Minister of Industries on the steady expansion of industrial and technical schools in his time. But I must say that this is not the only goal of this department. As a matter of fact if we are only to have a number of industrial and technical schools, the department might as well be called the department of Technical Education. The multiplication of a few weaving schools or wood-working institutes,

or, for the matter of that, any other kind of technical institutes would not solve, in my opinion, the economical difficulties of the province. The chief and the greatest need of the province is to develop its industries on the most modern lines. Of course I am not going to touch this point because we are at present engaged in the discussion of only the industrial and technical schools. As regards these, I would like to raise the point which I intended and which has already been touched by my honourable friend Pandit Nanak Chand. The Government at present has got two leather-working schools, but I notice that the treatment is not the same with regard to both these Government institutions. One is treated more favourably than the other. Although the number of students in both these schools is the same, the budget sanction in one case is 50 per cent. lower than the other, the staff that has been given to one of the schools, if I may be allowed to compare it, is four instructors in the case of Cawnpore and three in the case of the other institution. Two clerks in one and one only in the other. Similarly, as regards scholarships. In one institution—that is that of Cawnpore—there are Rs. 1,689 given in scholarships; in the school at Meerut there is nil. But in the matter of salary I find that the Superintendent of the Cawnpore institution gets from Rs. 500 to Rs. 600, while the other Superintendent who is equally qualified, both as regards educational qualifications and technically; and I maintain, as my friend who sits on my right maintains, that it is really technical qualification that counts. One might possess any number of degrees, but in the matter of technical work, if he does not excel, a degree would not help him. The Superintendent of the Government Leather School at Meerut takes very keen interest in his work, so much so that when no money is granted to him for exhibiting articles of that school in various exhibitions in these provinces, he sometimes spends money out of his own pocket, takes his boys to these exhibitions and the work produced in that school. But the salary of this Superintendent is fixed only at Rs. 100. I think it is a most remarkable difference and I should like to know how it is that a man who is equally qualified is not given equal pay.

Dr. Shafa'at Ahmad Khan: I should like to mention a few points with regard to the brass industry. I draw the attention of the Government to the necessity of developing the brassware industry in the brassware school which has been formed at Moradabad—really vigorous and enterprising institution. The foundations were laid about two years ago. It was founded on a very modest scale, and the grant of, I believe, Rs. 1,200 a year has been sanctioned by the Government. It is a good start, but I want it to be even better because I regard the brass industry at Moradabad as one of the most enterprising and one of the most hopeful industries in the whole of India. The value of brass industry was brought prominently to view at the recent Empire Exhibition, and we were informed that His Majesty the King liked the brasswork of Moradabad exceedingly. That is not all. The reports of Messrs. Sinha and Teyen which referred to the work of the United Provinces stall at the Empire Exhibition testify to the popularity and the utility of the brass industry and brass manufactures of Moradabad.

Now, I have been to various places—I have been to Darjeeling. I have been to Ootacamund—and found there a number of brass works. Practically all over India you find Moradabad works exported in very large quantities. A friend of mine left this year on tour to

[Dr. Shafa'at Ahmad Khan.]

and visited various places in England, with a view to finding out if any means could be devised whereby this industry, which is now practically a domestic industry and in which the work consists mainly of work by hand, could be improved by the introduction of machinery. He interviewed the High Commissioner in London; he also saw the Secretary, Chamber of Commerce, and they directed him to Birmingham. He went there—I had a letter from him only last week—and he saw some of the work turned out at Birmingham. He informed me, and he is going to inform also the Director of Industries I believe, that the brassworks at Birmingham are being manufactured not by hand but by machinery. They have devised machinery with a view to the speedy preparation of brasswork on a very large scale indeed. The first point I should like to make is that in Moradabad, which I have the honour to represent in the Council, the dealers in brass ware received a very large number of orders direct from England last year, and they could not execute them in time because they do the whole work by hand, and it took some of them eight to twelve months to execute these orders. Now you can see yourselves what a disastrous effect such a delay will have on the development of such an important industry as brassware industry of Moradabad.

My next point is with regard to the preparation of engraved articles. There are two types of articles produced. In the first place we have articles of the ordinary use, and then we have got much more delicate work which is called "kalam" which is the peculiar feature of the Moradabad industry. As the Moradabad people have started receiving a number of orders direct from Europe, I think it would be better if some of the workmen could be trained in the fashion and style that will be in harmony with the tastes of their European customers. So with this end in view I suggest that some designs should be developed at the Lucknow School of Arts and some people should be sent from Moradabad and trained in that subject. I am sure they will be only too glad to help us in this work. My friend has compared the quality of the work produced in other countries, where special attention is given to the manufacture of brass. The countries that compete with the Moradabad works are Tunis, Morocco and Birmingham. He has compared the products of these countries and has come to the conclusion that the Moradabad work, if properly started, properly developed, properly financed and properly subsidized, will beat out all these products out of market, because it is not only excellent, but it is also cheap, and it is the combination of these two qualities which appeals to the European customers of the Moradabad firms. The Moradabad firms, I am informed, are still receiving orders from various European customers, but they cannot execute them. It takes them eight months and sometimes a year to execute the orders, and consequently they do not send orders at all. It is most disastrous for a customer to wait for a year. With this end in view, I would suggest that some help should be given by the Department of Industry for the purpose of advising the manufacturers of the Moradabad brassware with regard to various customers in Europe. A sort of commercial intelligence department or other branch might be of great importance to the brass manufacturers of Moradabad.

In the next place I would suggest that the Industrial Survey reports which have been produced by the Government, and which are of very

great use to the merchants and to others interested in it, might be translated into vernacular, and they might thus be made accessible to all those interested in various industries of the province.

In the third place, I would suggest to the Government that they should either purchase such machines as can be had in Birmingham—I understand they will not cost more than Rs. 15,000—or the department might help a firm that is desirous of purchasing it and using it in Moradabad.

These are the suggestions, Sir, which I wish to make, and I am sure that if we develop the brassware industry of Moradabad, it will be one of the most flourishing and one of the most useful industries of the province.

Thakur Har Prasad Singh : The Industries department ought to look to the industries which can improve the economic condition of the majority of the population. About 70 per cent. of the people of these provinces entirely depend upon agriculture. They are engaged in agriculture for about six months in the year and for the remaining six months they are idle. So the Industries department ought to devise means to engage these agriculturists when they are idle, and my suggestion is that they should introduce the charkha system. I find that some of the honourable members are laughing at the suggestion, but that is the main industry. The Industries department had to admit in their report that last year some 60,000 maunds of cotton was spun by hand, and this is an industry which ought to be improved and can be improved. There was a time when cloth woven in India flooded the markets of Europe, and I am still of opinion that a lot can be done in this direction. Of course we cannot compete with machine power, but there can be no comparison of machine power with the energy of man. Thousands of men are wasting their time, and if the charkha system is encouraged I hope the condition of the masses will improve. Then there are other cottage industries which ought to be developed. Of course the technical schools are doing some good to the province, but still they require overhauling. Such industries should be taken in hand which can be made more useful and popular than the leather schools and the carpentry schools. Of course we require shoe-makers and carpenters. But at the same time these things cannot give bread to the whole country. The consumption of cloth in the country is more than the consumption of any other commodity, and the production of cloth is the main thing to which the Industries department should devote its activities.

At this stage the Council adjourned for lunch. After the adjournment the Deputy President took the chair.

Kunwar Jagdish Prasad : I will deal only with certain specific points to which the attention of the House has been drawn, and I will leave the question of policy to be dealt with by the Hon'ble Minister.

My honourable friend, the member for the Jhansi district; desired to have information about the Jhansi Technical School. When the report of the auditors was received it was sent to the Director of Industries for his notes, and it was received back from him only day before yesterday. I have not had time to go into the details of the items to which objection has been taken, but I can assure the honourable member that there is no desire on the part of the Government to screen anybody or to slur over any incidents, if those incidents require action on our part. As

[Kunwar Jagdish Prasad.]

far as I have been able to see by a hurried glance at the report, I do not think that the epithets of embezzlement are justified.

As regards the weaving institute at Benares, I would like to inform my honourable friend that the whole question, as regards the organization and the future of this school, was gone into by the Makbul Hosain Committee. They made recommendations on which a very lengthy resolution was issued in 1922. The Economy Committee went into this question and they said:—"The school fully justifies its existence." The recommendations of the Makbul Hosain Committee, so far as the courses of instruction are concerned, have been accepted by Government.

As regards the financial proposals, I am afraid that there has been some extensive noting in the Secretariat, and that has caused a certain amount of delay. I hope these matters will be settled during the course of the year.

My honourable friend Thakur Hanuman Singh desired to know what the Board of Industries does with the grant of Rs. 25,000 that it receives. I have got a long list showing how the amount has been spent, and I shall be glad to give it to the honourable member.

Thakur Hanuman Singh : One or two items may be read out.

Kunwar Jagdish Prasad : I shall give one or two items. A grant of Rs. 100 was given to the honorary secretary of the weaving school, Mau, to purchase loom accessories for the school. A sum of Rs 850 was given to the Collector of Bijpur as an additional help to the Dible School at Nagina. A grant of Rs. 1,600 was made to the Collector of Budann for the local weaving school. There are other small items of this kind.

With regard to the suggestion of my honourable friend, the member for Garhwal, about the amalgamation of the dyeing and the textile schools, I may point out that there is a great difference of opinion on the subject. In 1919 this matter was thoroughly considered by the Board of Industries, who expressed themselves as being completely against the proposal. The then Director of Industries, Mr. O'Malley, was also against it. It was contended that in the Manchester Technological College the dyeing section, which deals with the chemistry of tinctures, is quite separate from the textile section. However, the matter is one which is engaging the attention of Government; and in this connection I should like to assure the honourable members of this Council that their views as expressed on the floor of this House, as also the opinions of the experts, will be carefully examined before the Government comes to a decision one way or the other.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : A suggestion was made by several honourable members opposite that we should hand over our industrial and technical schools to private bodies, and thus a question of policy is raised. I should like to inform them that we are ready to help local bodies in running industrial institution. In pursuance of this policy the Moradabad Brassware School is now being run by the municipality of that district, and the Government is of course helping it. The question, however, of making the schools self-supporting or of handing them over to private concerns is full of difficulties.

and on this point in fact even the honourable members of this Council are not unanimous. The other day we had a question from an honourable member inquiring if any of our institutions is being run on commercial lines and whether we had any mind to hand it over to a private body. Supposing for a moment we act as suggested, we would in that case be creating an unhealthy competition and helping one company to the disadvantage of others. This is unfair.

Some honourable members remarked, and I think rightly too, that our goal should not be the expansion of technical education only. The real goal is to promote the industries of our provinces, and the fruit of our efforts in this direction will be manifested in the cottage industries that will grow up in every district, which in their turn will secure a decent living to our poor people.

Reference was also made to the rivalry which exists between the two institutions of Meerut and Cawnpore. The Government will consider what can be done in order to equalize the pay of the principals of both these institutions.

Many other valuable suggestions were made by various friends, for example, one about charkha, and I should like to assure the House that they would receive the most careful consideration of the Industries department.

Motion by leave withdrawn.

Kunwar Surendra Pratap Sahi: I move that the demand of Rs. 97,440 in respect of the item regarding salaries at page 104 of the Detailed Estimates be reduced by Rs. 4,240.

If honourable members will turn to page 104 of the Detailed Estimates they will find that this year a sum of Rs. 97,440 is being provided under this head, as against Rs. 93,200 last year. The revised estimate for 1924-25 was Rs. 74,000 only. So there is an abrupt and unexplained increase of several thousands. I am at a loss to understand what this increase is due to. I hope the Hon'ble Minister will explain this to the House.

Mr. B. J. K. Hallows: It will be noticed that there are three less principals and gazetted officers this year, the reason being that three officers of the Wood-Working Institute have left. Their salary was provided last year. They were Messrs. Love, Salmon and Richardson. This year we have provided for a machine tool instructor on Rs. 250 rising by annual increments to Rs. 400. This machine tool instructor has not been actually appointed for two years; other officers have been doing the work, but now that the section is growing it has been found impossible to cope with the work, and the Advisory Committee has recommended that a new man should be appointed. This is the reason for the new expenditure.

Kunwar Surendra Pratap Sahi: I beg to withdraw my motion.

Motion by leave withdrawn.

Khan Bahadur Maulvi Fasih-ud-din: I beg to move that the demand of Rs. 35,377 in respect of the item regarding the salaries of instructors of the technical and industrial institutions at page 104 of the Detailed Estimates be reduced by Rs. 2,700.

Sir, I am very loath to oppose any excess in expenditure of the department of industries if that expenditure is for expansion of the

[Khan Bahadur Maulvi Fasih-ud-din.]

department, but I find year after year demands are made for increasing the pay of the staff, and this increase of Rs. 2,700 seems to be rather too much. I want to have an explanation, and that is the reason why I have put in this motion for reduction.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : This increase is due to several things. One is that in all technical institutes there were 172 instructors only, now they have increased to 177. Then we are going to add three instructors for the new weaving schools at Najibabad, Tanda and Saharanpur. We will also have to supply instructors to the brasswork school at Benares.

Khan Bahadur Maulvi Fasih-ud-din : I beg to withdraw my motion. Motion by leave withdrawn.

Mr. Mukandi Lal : The Council is very anxious to go to the next demand, and therefore before we proceed to the "Jails and Convict Settlements" I would just like to utilize this opportunity to make a few observations on the Industries department. I agree with the Hon'ble Minister for Industries, when he says that the Government do not like to entrust the development of industries to private individuals. That is right policy. Then the other point was about expansion and consolidation. There I disagree with him. As to whether consolidation should precede expansion; we can have no consolidation without expansion. We must first expand our industrial efforts and institutions and then we can consolidate them.

Coming to industries proper, it was quite evident that we should not have made cuts in industries; that shows we all want our industries to develop. We know that in the modern times no nation can thrive which is industrially inefficient and industrially not self-contained. We are reminded by the Hon'ble Minister to compare the wealth of this country with that of the other countries. I may just quote figures of wealth of three countries. The national wealth of England per head is Rs. 720, in Canada it is Rs. 550, whereas in this country according to the highest calculation—the calculation of Prof. Richards, the Labour Under Secretary of State for India—it is only Rs. 60, which is exactly double the amount that was given by Lord Curzon 20 years ago. We are so poor because our industries are not developed as they ought to be. There was a time when we were really self-contained. Not only this, we supplied to the world luxuries of life. Rome was supplied, Greece was supplied with the products of our country, and at the same time in the beginning of the British rule we know that so many articles manufactured in this country were exported to England. I need not enter into the controversy as to how our industries were annihilated, though there is reason to believe they were deliberately destroyed in many cases. Now we have come to the stage when we realize that our industries require looking after by the State, and we rightly look up to the State to develop our industries. I need not point out in what department particularly I would like our industries to develop. The House has given its verdict that we want our industries to develop on national lines. For that reason we have got to see what are the industries that can be developed in this country with benefit, what are the industries that are particularly suited to particular districts. With respect to the remark of the Hon'ble Minister that it was his intention to have industrial schools in every

division I would submit that he should have them in every district, and not institutions of common type but institutions that would be particularly fitted for those districts, institutions in which certain districts specialize, all possibilities of industries being developed in those districts. But when we come to the point as to how far the present Industries department has justified its existence and has done all possible things we cannot fail to remark that as in other department so in this department too much attention is being paid to the top men. There is a post of boiler inspector. His gazetted post carries a salary of Rs. 1,000, but he is actually drawing Rs. 1,500 per mensem.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : May I rise to a point of order. I may just explain to the honourable member that the boiler inspector does not come under Industries; he belongs to a reserved department.

Mr. Mukandi Lal : What I wish to point out in this connection is that his gazetted post is Rs. 1,000, but he is at present drawing Rs. 1,500. He will shortly be retiring and my submission is this that when the time for his retirement comes, he should not be given any extension. Similarly there are other departments. I understand that Mr. Mackey is going on leave shortly. His post should naturally go to the belongpeopleing to his institution who have qualified themselves for the work; it should not go to outsiders.

Then comes the question as to how far the industries can be subsidized. The Industries Committee have made certain recommendations. We can await those recommendations of the Industries Committee; but so far as the present staff is concerned we have to take into consideration their work.

There is a very important point which I wish to bring to the notice of this House, and it is in connection with the Stores Purchase department. That question is partly connected with industries. That department was constituted in 1921. There are various proposals in connection with that department. One proposal is that it should be abolished and the provincial purchases should be made through the Indian Stores Purchase department. We have got provincial autonomy to some extent, at least in one department, the Industries department. Do you think that we should be prepared to hand over our Stores Purchase department to the all-India Stores department which is a reserved department? If we do so, we shall be losing so much of the political control that we can exercise over the Stores Purchase department. Not only that, but we know that the provincial Stores Purchase department has been making 80 per cent. of its purchases in this province. The Stores Purchase department in this province is likely to protect and encourage our industries. What are the things that are manufactured in these provinces? Take the question of textiles. Our province produces quite a large amount of textiles. The Provincial Stores Purchase department purchases all the drill required from this province, say from Cawnpore. When we look to the Indian Stores Purchase department we find that drill was not purchased in this province but in Madras. Similarly, take the question of the things produced in our jails. If the Stores Purchase department is a local department, it will naturally go to the jails for the things manufactured in our jails. Therefore I submit that on economical and political grounds the Stores Purchase

[Mr. Mukandi Lal.]

department should remain, as it has remained so far since 1921, a provincial department. As a matter of fact I remember that when this department was constituted, the Stores Purchase Committee said:—"In view of the tenor of the reforms we consider that the Local Government should in future be free to deal as they wish with purchases of stores of indigenous origin, of local manufacture for their own use and requirements."

When discussing industries I hope that the members of this Council and the Government benches will take into consideration the fact that we would like the provincial department of stores maintained and kept under the control of the provincial department of industries.

The Deputy President: Did the honourable member move his motion?

Mr. Mukandi Lal: I beg to move that the demand of Rs. 10,05,327 in respect of the item regarding Total demand—Industries—at page 103 of the Detailed Estimates be reduced by Rs. 100.

Pandit Govind Ballabh Pant: I do not want to enter into the question as to the system of technical education in our province or as to the number of students that are receiving benefit from that system of education. I want only to refer the Hon'ble Minister to the number of students receiving instruction in other provinces and to the cost that is being incurred in our province per boy as compared with others, and that will, I think, lead him to the conclusion that it is necessary to overhaul the machinery almost altogether. I may at the same time say a word or two as to the difference between the amount provided last year and that provided this year for the purchase of stores in foreign countries. The Hon'ble Minister told us that it was about 8 lakhs last year, and it is much smaller this year. I only want to tell him that 7 lakhs was provided for irrigation works in connection with the Sarda, and as there is nothing put in for additional expenditure on that account this year, so there is no provision for that in the estimates. As to these technical institutions, I think it is necessary that the thing should be done in a more systematic manner. There are the reports of the gentlemen who were appointed to conduct an industrial survey in the various districts. What I suggest is that, so far as hand spinning and weaving is concerned, there should be an institution in every district. As to other industries, leaving aside a few general ones, those reports should be studied and it should be seen what natural advantages are available at any particular place—what sort of raw material can be had there, what goods can be manufactured there with special advantage, and then after seeing all these things an institution should be started there to give instruction in that subject, and associated with that institution there should everywhere be a demonstration workshop or factory so that the boys who receive education may go over to this demonstration workshop and work there, either on payment or on the system of getting the manufactured products they produce for themselves and paying only for the raw material. That is the only way how we can benefit from these institutions. It is no use having these institutions unless the recipients of instruction make some use of the training they receive there. And the other point I suggest is

that the Industries department should keep a stock of all those instruments and appliances of modern type in which instruction is given in these institutions, so that these may be given to the boys when they come out of these institutions so that they may establish those industries in their own parts and may repay the amount by instalments to the Industries department. Along with this the department should make some arrangement for the distribution of raw material to the recipients of instruction in these institutions so that they may get them cheap, for it is very difficult for a person receiving instruction in these crude methods to compete with machinery in the present age unless you give him some special facilities. Along with this I am glad to know that the Minister has come to know that there is a division like Kumaun in these provinces, and I hope he will see to it that what he has stated today is followed up with something practical. I may tell him there are weaving institutions which have cost us some amount of money and which it is difficult for us to maintain now; and if he thinks weaving in Kumaun can be countenanced, if not encouraged, he might see his way to render them some little assistance.

Then I consider it necessary to say something about the Stores Purchase department. I understand there is some difference of opinion about the continuance of that department.

[The Hon'ble the Minister shook his head.]

Well, I am glad to know it is not so, for if it were, then we would have entered a strong protest against any such suggestion. I want in this connection to tell the Hon'ble Minister that he should get a list prepared of all articles required for Government use ordinarily. I wanted a list like that and put a question and was told there was nothing like that in the office. That, I think, is not desirable. They should have a list. Then efforts should be made towards standardization and substitution. By substitution we all understand that things of indigenous make should be found out for those which have been imported from outside, and by standardization we mean that we must have definite standards in accordance with which we must get things prepared. There are office chairs and school desks and similar other articles, and for these we should have standards; definite types must be fixed so that we can get them very cheap and give our orders to firms who can make a reasonable profit out of such uniform outturn. I think along with that that persons who prepare designs for Government buildings, etc., should always bear it in mind, and it should be impressed upon them that the articles such as girders, etc., that they put in their designs should be of such a sort as can be had in this country. I have known cases in which a girder of 45½ feet is not available, but one of 45 feet is available, but the man drawing the project puts down 45½ feet, so it has to be ordered from a foreign country. It should be the rule that people drawing up projects should include in them articles which can be had in India and not force Government into taking absurd types which have to come from outside.

Dr. Zia-ud-din Ahmad : As the development of industries is a question of vital importance for this province, the time will soon come when the land will not be able to support the increasing population of these provinces. We have started a large number of technical institutions. But the establishment of schools is not sufficient for the development of industry. They are no doubt necessary. It is not enough for us to

[Dr. Zia-ud-din Ahmad.]

stop there. We must try to introduce new industries, we must try to find a market for existing industries. We have an Emporium at Cawnpore which advertises our industries in India. We should not be content with that; we should also go abroad. In this connection I would like to take, with your permission, Sir, two or three minutes of the time of the House. I visited the British Empire Exhibition, not as an expert but as a casual visitor last year. In spite of the criticisms that have been published in this country and in England, I can say from my personal experience that the Indian section of the Exhibition was the most picturesque of all the buildings in the Wembley Exhibition. But unfortunately the designing inside was not quite up to the mark. To my mind there were four principal defects in the organization. The first was that the Exhibition was organized on a provincial basis. However important provincial division may be in India, it is not important outside India. Outside India the whole of the land is counted as a single unit, and our division inside the building ought not to have been on the provincial basis, but on the basis of industries: a particular industry ought to have been exhibited in one place and not scattered in different provinces. The second defect which I noticed was that all these stalls were put up like the show rooms of big shops. The exhibits in other pavilions were arranged to illustrate the industries of their countries, but in India things were arranged like a show room and looked like a large London shop. The third defect I noticed was that we did not exhibit the raw materials. We export raw material to a large extent and they ought to have been exhibited. The Burma pavilion and other countries exhibited them, but we unfortunately did not. The fourth defect I noticed particularly was that we did not exhibit actual manufacturers who may be making things themselves. Other countries exhibited the process of manufacture, and the result was persons who came to see the Exhibition stopped to see the process of manufacture, and very often made up their minds to purchase things and establish business relations with that industry. These are the four principal defects which I noticed in the arrangements in the Indian pavilion at Wembley, and I would strongly recommend to the department to seriously consider this fact, that we ought to take part in the Wembley Exhibition this year again. The United Provinces sold articles worth about Rs 10½ lakhs. I questioned one of the important manufacturers, and he told me that he was quite willing to spend the amount that he had spent, for the sake of advertisement only. But he recovered twice the amount he was prepared to lose in advertisement. I do not want to discuss today in what manner we ought to take part in this Exhibition.

Pandit Govind Ballabh Pant : " Move a resolution. "

Dr. Zia-ud-din Ahmad : But I would just like to make one or two suggestions. We have got an emporium in Cawnpore, and I think it would be possible for the emporium to have a branch at the exhibition at Wembley as well. The other is that we should assist some of these manufacturers to go to London and show their things at the Wembley Exhibition. I strongly urge the Hon'ble Minister and the department of Industries to consider this question seriously and to take part in the Exhibition at Wembley on behalf of the United Provinces.

Mr. Muhammad Aslam Saifi : So far as the total financial provision that has been made for this department is concerned, I do not find anything to be jubilant about. On the other hand, finding that for the last three years we have been sticking practically to the same sum, in the neighbourhood of Rs. 10 lakhs, I find it to be rather starved or stagnant. I therefore urge the Hon'ble Minister of Industries to bid for a very much higher amount. I consider that this is the department from which we expect great things for the economic progress of the province.

There are a few points to which I would like to invite the attention of the Hon'ble Minister. In the first place I find that the district surveys have practically been completed. I therefore should like to know what these gentlemen who are employed as divisional superintendents are at present engaged on. For example, I find that there is one divisional superintendent attached to our own division, but during the current year, which is now ending, I have not noticed anything that has been done by him in my division which I could say has been conducive to the improvement of any existing industry.

Then, Sir, there are several industries to which I should like to invite the attention of the Government. One, for example, is the industry of scissors. It is carried on on a very extensive scale in Meerut, but by ordinary crude methods. The raw material that is used, i.e., steel, is imported from England, but the design requires a great deal of improvement. The process of making these scissors is of the very crudest type. The scissors are not polished. There are no nickel-plating machines. I remember a few years ago the then Director of Industries, when he visited Meerut, promised to establish a nickel-plating plant there. During the Great War when such instruments as were used in hospitals could not be imported from England, a good many of these scissors and other instruments were manufactured in Meerut and they had to be sent to Lahore for being nickel-plated. During the last three years I notice that nothing has been done in this direction. I observe that caps, both Turkish as well as the caps that my Hindu friends use, are imported in enormous quantities from Europe, from Austria, from Czecho-Slovakia and various other countries. I think it is easily possible to establish an industry by means of which these things could be manufactured, not only in India, but in our own province. I do not know, but I dare say the Hon'ble Minister is aware, that a factory to manufacture these felt caps is already established in Aligarh. It is these industries which require careful and immediate attention.

Pandit Nanak Chand : The factory you mention has moved outside the province to Delhi.

Mr. Muhammad Aslam Saifi : I hope it is not due to lack of attention on the part of the Industries department that the industry of cap-making has shifted to the new province of Delhi.

There is another industry, i.e., of making buttons. It is hardly possible for any one to wear his clothe without using buttons. But I find that so far no attention has been paid to this industry. Even if the cheapest possible buttons are to be manufactured, the machine for such a purpose would not cost very much and it would be easily possible to establish one or two factories in important towns. I know that the machine which would turn out a very large quantity of buttons of the kind that we use would not cost much at all.

[Mr. Muhammad Aslam Saifi.]

Of course I must thank the Hon'ble Minister for promising to establish a school at Agra to develop the industry of boot making there. The honourable members of this House will remember that in answer to one of my questions I was told that boots and shoes manufactured at Agra were exported outside to the extent of over a crore of rupees. If this industry receives the attention of the Government, I am sure that this sum could be multiplied several times and it will be all to the advantage of our provinces.

As regards the Government Leather-working School at Meerut I would suggest that, in addition to the work that is at present carried on there, if a tanning class is also added, for which there is great possibility, I think it will be a source of great improvement to that school. My honourable friend Dr. Zia-ud-din has just suggested that we should also look to the market for the things that are manufactured in these provinces. I am sure every one in this House is aware that the United Provinces are the home of cloth manufactures. Cloth, from the *khaddar*, which I see some prominent members of the Swarajist benches are making a speciality, to the highest kind of cloth like *kamkhab*, which is manufactured in Benares, is exported from these provinces to various other provinces in India and even outside India. I remember having seen in a shop in Manchester various designs of the cloth manufactured in Benares. We have very few centres organized for this express purpose in our own provinces where the various articles manufactured in these provinces could be exhibited in one place, so that people who are in need of these things may at once know where these special articles are manufactured. Now, Sir, I will come to the question of the emporium. I do not know how to classify it, whether as a white elephant or what.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : "A dark horse."

Mr. Muhammad Aslam Saifi : Well, I do not know; it is still in the experimental stage. But I would suggest that if exhibition rooms are established in such big centres of the provinces like Lucknow, Allahabad, Benares, Cawnpore and Agra, where some of the articles which are manufactured specially in these provinces are exhibited, not to be there for sale but only exhibited, so that the people of those cities may come to know where they could obtain them from, I think it will be helpful towards finding a market for those things.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : As far as the expansion of the Industrial department is concerned I am quite at one with the non-official members here. As to the Stores Purchase department, I do not know what has given rise to this anxiety in the minds of some of the honourable members here that we are going to abolish the department. As far as the Government are concerned there is no such talk, and I do not know if they have some other cause for anxiety; but as far as we are concerned we have not received any suggestion for the abolition of this department. As to the very many other most valuable suggestions that have poured in from every quarter, I would only say that after the budget session is over I and the Secretary in the Industries department and the Director of

Industries will have to read all the speeches and then we will be able to know how to work on them all.

Pandit Baijnath Misra : I know, Sir, that the House is impatient to go on to the other subjects for debate, but I rise only to make one remark about a particular subject for which I have been waiting. There were a number of questions put by Dr. Shafa'at Ahmad Khan to the Hon'ble Minister, and they were answered on behalf of the Government. But there was one question which I find was not sufficiently answered, and it is to that that I want to draw the attention of the Government and the House. Dr. Shafa'at Ahmad Khan wanted to know whether the standard of teaching given in the technological institute or other industrial schools was as high as is given in foreign countries. I think the standard is not so high. There is distinct proof of that, and the clearest evidence is the fact that we have to import teachers from foreign countries for the subjects that we are teaching in the technological institute. There are branches of industrial teaching also that have not been started as yet, and if we want to start these branches of industries we shall not be able to find teachers in India. Now what is the remedy? Of course technological institutes should be raised to that standard; other educational institutions should be started, and other branches of industry should be taught. But money is wanted for all that, and the amount of money required is so large that it will not be possible for some time for these provinces to provide it.

Therefore, in these circumstances I have a suggestion to make, and it is that we should provide a large number of scholarships for students to go to foreign countries and qualify themselves for higher standards, as well as for such branches of study in industries for which educational facilities are not provided in these provinces. Last year there was only one scholarship. This year we are glad to know that the Hon'ble Minister has found funds for two scholarships, but that number is not sufficient for a big province like this. May I remind this honourable House and the Government that in the neighbouring province of Bengal there was an association which raised subscriptions and sent out students to foreign countries in very large numbers, and the result that it has achieved is certainly very satisfactory. If we go out of India, I think the Government and the Industries department may turn over a page from the history of Japan and they will find that by this very process, that is by providing scholarships for students who want to go to foreign countries, that country made a progress in the course of fifty years which our province has not been able to make in the course of a century. I think about one hundred years is the period for which the department in one form or another has been existing in this country. Therefore I suggest that, if funds permit, the number of scholarships should be raised within this year and that in future years the number should be fixed not at 2 or 4 but at least at 10.

Kunwar Jagdish Prasad : I have just one word to say. I do not want to delay the House. I think my friend the honourable mover must know that the people who are admitted to the Technological institute are only those who have passed the B. Sc. examination, and after they have passed that examination they are put through a three years' course of training. I quite appreciate what my friend has said about the desirability of sending more students to England. We have asked for more

[Kunwar Jagdish Prasad.]

scholarships, but unfortunately owing to the floods and the consequent financial position we have been able to provide only two scholarships. We quite recognize the importance of sending capable Indians to England to study industries.

Motion by leave withdrawn.

The net demand of Rs. 9,99,785, was then put to the Council and voted.

Demand No. 16.

HEAD 25—JAILS AND CONVICT SETTLEMENTS.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: I beg to communicate to the Council the recommendation of His Excellency the Governor that under Head 25—Jails and Convict Settlements, Rs. 32,02,629 be provided and I move that that sum be voted.

I wish to submit a few words to the Council in this connection. Knowing that the jail industries were in a deplorable condition I recommended to His Excellency the Governor to appoint a committee to report as to what action should be taken with regard to their improvement.

A committee was therefore appointed to look into the matter. They have made certain recommendations which are under the consideration of the Government. In the beginning it seemed that it would not involve large sum of money, but it seems to me that the estimated cost would be more than what we expected. As regards other reforms introduced within the last four years I beg to submit to the Council a few of them for their information :—

- (1) Prisoners are provided with clothing on a new scale.
- (2) Muhammadan prisoners are given lungis to wear at the time of prayer.
- (3) Prisoners working outside the jail no longer wear fetters ; while the use of fetters inside the jail has been considerably restricted.
- (4) The use of Bel-chains on convicts has been prohibited except under very exceptional circumstances.
- (5) More generous rewards in the form of remissions are given to prisoners, and many punishments have been modified, while flogging can only be inflicted under very exceptional circumstances.
- (6) The solitary confinement has been abolished.
- (7) Prisoners are allowed to have religious instruction from volunteer teachers.

In this connection I may submit that a resolution was moved in this Council to the effect that certain private persons who volunteered themselves should be allowed to impart religious instructions to the prisoners. There were many difficulties in our way to accept the resolution as originally recommended. The first was financial and the second was the policy of religious neutrality on the part of Government. On account of so many sects and sub-sects of religions we knew that if we appointed one Musalman it would not satisfy all Musalmans. Similarly if we appointed one Sanatan Dharmi Hindu

it was not likely to satisfy the Arya Samajists, the Sikhs and others. So we agreed to allow only individual volunteers to impart religious instruction.

- (8) Letters and interviews are given more liberally and prisoners have free postage.
- (9) Prisoners under sentence of death are no longer in the custody of police guards.
- (10) The appointment of non-official visitors and the visiting boards has been instrumental in giving many individuals a more clear conception of the prisons and the general good treatment of the prisoners, and the prisoners have been afforded opportunity to state any grievance they wish to ventilate. I may add here that I have heard from some honourable members that they brought certain grievances to the notice of the jail authorities, but those grievances were not redressed. I am taking steps with regard to this question by asking the Inspector-General of Prisons to bring all such grievances to the notice of the Government and to remove them as far as it lies in his power to do so.
- (11) Revising boards sit half-yearly to consider the cases of long term prisoners and recommend the release of all deserving cases.
- (12) The treatment of leper prisoners has been systematized on up-to-date lines.
- (13) Mentally defective prisoners are confined in the Agra district jail.
- (14) The Cawnpore District jail has turned out all the police and chaukidar uniform for the current year.
- (15) The Stores Purchase Department is doing its best to secure orders for the jail.
- (16) It is also known to the Council that a special division class of prisoners has been sanctioned to give easier conditions of life to individuals of education and status.

The treatment of Europeans and Indians in the jails has elicited considerable interest from the members of the Council in the form of questions and resolutions. I am quite willing to remove all the invidious distinctions which it is possible to remove under the Indian Jails Act. As regards the distinction of allowing fans, etc. to Europeans, this is due to want of money. I wish to accommodate all European as well as all Indian prisoners who are accustomed to a cool climate at some hill station, if money will be allotted to me for making additions to the existing jails or constructing a new jail. In this way we will not be unjust to those who are not accustomed to the hot climate.

As regards the diet, I would draw the attention of the Council to the fact that the diet prescribed under the jail rules for Europeans may not be agreeable to Indians. In the same way the diet prescribed for Indians will not be agreeable to the Europeans. As regards the cost of diet, it depends on the quality and the quantity of foodstuff. I am quite willing to accept any proposal which is reasonable. I however

[The Hon'ble Raja Sir Muhammad Ali Muhammad Khan.]

beg to submit to this Council that jail should never be treated as a bed of roses.

Certain grievances have been made with regard to the quality of diet for Indians. I have been trying my best and I hope the Inspector-General of Prisons will bear me out that I have repeatedly asked him to be careful about the diet. The dietary conditions must be improved, and I shall see that before I leave the Government, this has been done. It is said that the jail servants do not discharge their duties properly. I do not deny it. I have never shut my eyes to such persons as have failed in their duty. I have always punished them irrespective of their colour. We are ourselves anxious to raise the status of the jail department, but the only obstacle in our way is that the rates of pay that obtain in this department are by no means so attractive as to get a better class of person. We are trying to improve the condition of this service in order to put a stop to bribery and corruption. Indeed this is not the only department at whose door the charge of corruption can be laid. There are other departments as well. Unless therefore, we raise the pay of the employees of the jail department, the grievance of the honourable members about corruption will never be removed. In the circumstances I submit the Council will pass the provision as it stands under this head. I have no objection, of course, to reasonable cuts being made.

Babu Bhagwati Sahai Bedar : I beg to move that the demand of Rs. 66,840 in respect of the item regarding total superintendence at page 54 of the Detailed Estimates be reduced by Re. 1.

Before I enter the subject I shall like to recite a couplet, and it is this :—

مبالغہ نہیں تمہید شاعرانہ نہیں * غریب قوم کا ہی مہئیہ فسانہ نہیں

Now, I proceed to deal with only those points which cannot be dealt with under any sub-head in the Detailed Budget, namely the treatment that is meted out to political offenders, the nomination of non-official visitors to the jails, the parade, the differential treatment as between a European and an Indian, and the labour that is extorted from the prisoners. It is really very painful to criticize the honourable Raja Sahib, because I know that he is a patriot, I know that he had been our leader in the past and I also know that he is incapable of mischief. I do not know why I love him so much. Certainly I respect him more than any member on the opposite benches. I will first take the treatment of political prisoners. I had put certain interpellations on this matter, but received the reply that those rules that have been received from the Government of India cannot be laid on the table. I have seen those instructions and think that the instructions contained therein say that, irrespective of political opinion, persons who have a certain standard of life should be treated as special division prisoners. What is going on these days as far as classification of special division prisoners is concerned? No sooner a man is convicted for political offence than the magistrate of the place inquires through an ordinary constable about the status of the man. The constable in order to please his higher officers just writes on a bit of paper that he is a regular scoundrel and

nothing better. Then that recommendation of the constable goes to the Hon'ble the Home Member. He, after much consideration and deep meditation, puts the man down in prison to be treated as ordinary felon irrespective of his high social status. I have seen instances. Those days are gone when even an ordinary *ekkawala* was treated as a special division prisoner. The policy of the Government has now changed and they are not going to do anything as far as political offenders are concerned. Since then only one man, I mean Mr. Victor Mohan Joshi, was treated a special division prisoner and that, too, when a hue and cry was raised over the question. There are still certain prisoners in jails who are men of high social standing who are treated like cut-throats or robbers. I know there is one Thakur Itharan Singh of Shah-jahanpur. He is a zamindar and is at present confined in the Agra Central jail. I also know what opinion these jail officials, have about us. At least here is the opinion of one of the highest officials of jails about these political offenders. I will quote a passage from the Jail Report when Lt.-Col. Woolley was the Inspector-General of Prisons. He says :

"Lt.-Col. J. E. Clements, I.M.S., who is the officer in charge of the Lucknow jail had a most responsible and arduous time in dealing with the first class misdemeanants in his district jail. These prisoners were from the beginning defiant and turbulent and ready at every turn to cause trouble."

This is the way in which Pandit Moti Lal Nehru, Mahadeo Desai, George Joseph and others are characterized. They are classed as turbulent persons. The report is here and I am not giving my own words. It is sail of those days when Pandit Moti Lal Nehru was in jail and when Col. Clements was Superintendent of the Prison. This gallant Colonel once suggested that the jail should be treated as a colony of which he would be the Raja and they the Governors. However, I would not remind Col. Clements of sad memories of the past, but I will deal with the present since the Hon'ble the Raja Sahib of Mahmudabad has assured us that the Colonel will be behaving more properly. I expect that he will, or else I should warn him.

شرم آلودہ آنکھیں تری خاک میں ہم کو ملائینگی

کیا یہ نہ نکاہیں نیچے نیچے اڑے اڑے جائیں گی

Now so much about political offenders. I hope that before Raja Sahib leaves the department to the mercy of the industrious labour of another person, I mean before he goes out of office, he will set everything right.

I may tell him that this is the time for doing all these things. Do it now or else you shall never be able to do it later.

فہ مارا نفس امارہ کو گر تم نے جواں ہو کر

تو پھر کیا تیر مار دگے بوڑھاپے میں کہاں ہو کر

I am sure when the Hon'ble the Home Member will not be in office he will not be of as much use. I must assure him once more that the respect which he receives from the Inspector-General of Prisons and from all these Government Officials will disappear finally. Now they bow to him, but then they will never do so ; this is my experience at least. As long as I was not a member of the Legislative Council but was a prisoner, I was

[Babu Bhagwati Sahai Bedar.]

called "badmash" specially by Col. Clements. Today he says "No" I impeach him, I ask him, I throw a challenge to him to disprove that he did not use these words to me. I must remind him that when we were on a hunger strike in the Lucknow Central Prison for full seven days without any drop of water or food; instead of making any inquiry and redressing our grievances, milk was regularly forced in our mouth through a long tube—a rubber pump. That rubber tube was passed through the throat into the stomach. A small capsule was put over the tube and the milk was poured through it. We were kept in solitary confinement for full one month, the Colonel asked us: "Will you take food?" We said—"Only per force. We shall take food only in this manner unless you set things right." He was much annoyed and said "I do not know what sort of *badmashes* I have got to deal with." But what was the aim of this? No other motive but to humiliate us. Had he been a little vigilant over his duties, had he seen what was going on inside the jails, what these ordinary *nambardars*, *parcas warders*, were doing, I think matters would not have come to such a pass. There was Lt. Mahabir Tyagi. I do not think his status and position is less than that of any one in this Council. He was beaten by an ordinary *jamadar* and on this we went on a hunger strike. Why was this done. Simply that our voice might be heard, as hunger strike in the jails is the only effective instrument in the hands of the prisoners to have their grievances redressed.

Now I come to the nomination of visitors. A year and a half has already passed, and these four or five months—I mean these summer months when officials will hail the sweet breeze of Naini Tal—will also pass. Then a year and a quarter more will be left. Then there will be some correspondence between the district officers and the Government. At that time when everybody will be engaged in trying to find out ways and means to get ourselves re-elected, a *parwana* regarding the appointment of non-official visitors of jail under certain restrictions for the rest of the period will be issued. Here is my friend, Pandit Jhanni Lal Pande from Jalaun. Here is another friend of mine, Maulvi Zahur-ud-din. They have not yet been appointed visitors. I do not know how these things are to be remedied and who is responsible for it.

Then there is a parade system in jails. I do not know whether now it is there or not. I think there is still the parade system. Let me tell you what is this parade business. I will cite an instance of the latrine parade. Prisoners are made to walk to the latrines. A *ghanti* is rung and people sit down. Then after two or three minutes another *ghanti* is rung and then they stand up. They come out all naked, sit in an open space and wash themselves. Is it at all human? Will any honourable member of this House tolerate it? I think the Raja Sahib before he departs must remedy all such things. He must have these latrines re-built on better lines.

Then there is a parade called *ashnan* parade. That is what they call it. The prisoners sit in a line. There is a small cess pool just in front of every prisoner. The bell goes on and the prisoner "*ulicho*" some water on their body out of that cess-pool. The bell is again rung and they finish. This is how they take their bath.

Apart from this, an ordinary *langota*, four inches in breadth, is provided to the prisoners. They wear it when they take bath. Do you think it at all human? Do you think it at all decent on our part to leave these poor men to hide their shame through this small *langota*? Not only that, you will be surprised to hear that *janghias* are provided without *izarbands*.

Lt.-Col. J. E. Clements: I contradict that. Every prisoner is supplied with an *izarband*.

Babu Bhagwati Sahai Bedar.—No, I challenge the statement. I can show from the jail records that three prisoners were once punished by you, and you alone, for procuring *izarbands* from a weaving factory. I would ask the Inspector-General to refresh his memory.

Kunwar Surendra Pratap Sahi: I also contradict this statement of Colonel Clements. Two or three years ago prisoners were never supplied with *izarbands*. I know of a case myself. He was a friend of mine. He was a fat fellow. He was not supplied with an *izarband*. He used to hold his *janghia* with one hand and work all the time with the other.

Babu Bhagwati Sahai Bedar:—Then there is differential treatment between Indian prisoners and European prisoners. I will read a few lines from the U. P. Jail Manual. I say the whole thing is amusing. Now here is the jail diet for Europeans:—

“Spices, rice, *dal*, tamarind, bread, butter—Sundays and Wednesdays.”

This is for breakfast.

Then comes dinner.—“Meat, potatoes, onions, spices, salt, bread, butter.”

Then comes supper.—“Bread, milk, sugar, butter, lime—juice or tamarind water.”

The Hon'ble Raja Sahib has mentioned that jail is not a bed of roses; but I would suggest to him that if this diet is given to an Indian prisoner, of course, he would like to remain throughout his life in jail. He would think it certainly a bed of roses and a bed of feathers. Now look here and see what Indian prisoners get—what very absurd things. Indian prisoners are supplied with coarse bread prepared by the mixture of “wheat, *bajra*, *makka*, *marua*, *juar*” with pulse. Jhalra and bread in the evening. Just imagine the extent of absurdity. The other day His Excellency the Governor returned the Oudh Chief Court Bill simply because there was some sort of differential treatment. Now I ask the honourable gentlemen of this House: is it not differential treatment? Alas! it means in short—

یہ بات غلط ہی دارالاسلام ہی ہند

یہ بات غلط ہی ملک لکھنؤ و رام ہی ہند

ہم سب ہیں مطیع و فرمانبردار برٹش

یورپ کے لیٹے بس ایک گودام ہی ہند

This is the position in which Indian prisoners including political offenders are kept,

[Babu Bhagwati Sahai Bedar.]

I pass on and now come to the work taken from the prisoners. I will point out that the whole system is defective all round. For instance, what do these tailors do there? They sew the gowns of jailors', and superintendents' memsahibs. Some of them are so competent that they can easily earn ten rupees per day. This is my experience at least. Similarly there are carpenters. But they, instead of doing some substantial work, prepare boxes for jailors and superintendents. I submit that the energy of these men is unnecessarily wasted. This system of taking *mumali* work from skilled men should be finally discouraged and these prisoners, instead of attending to memsahibs, sewing their gowns, and doing all these things, should be engaged in better work, should be taught better work as that they may be able to earn an honest living when they come out of jail. I am confident that these jails can be turned into reformatories in no time. I am sure a tailoring factory can be started with success which will bring huge profits to the department. We can get plenty of work from outside and we need not be afraid of the shortage of prisoners so long as India remains under foreign domination. In short the energy of skilful men should not be wasted on sewing ordinary *kurtas*, making *tashlas* and *kutoras*, twisting *ban*, drawing water from wells etc, but fine work should be done by such prisoners, while ordinary work may be taken from others. Now once when I, as a prisoner, was placed before my superintendent, I mean Colonel Clements, he inquired of me knowingly "What did you do outside?" I said I did not cut grass, of course, I was an educated man. To the great annoyance of the Colonel, I said :—" You must extract such labour from us that will pay you something. It is no use having this *ban* twisting from me; give me; some ministerial work; you cannot have more than six pice work *ban* from us. If you will give me some poetry to write you might be able to get Rs. 5 per day." Well this I refer to explain myself. In jails there are artizans, for instance goldsmiths, good blacksmiths, mechanics, carpenters, painters, tailors etc. put men of like professions in separate jails you will find that these jails will be self-supporting and you shall not stand in need of coming with a huge budget grants and supplementary estimates every day.

The Deputy President : The honourable member must be brief now.

Babu Bhagwati Sahai Bedar : But I am not touching any irrelevant point, Sir.

The Deputy President : But you have taken all the time allotted to you.

Babu Bhagwati Sahai Bedar : Then I would say one or two things more. The Raja Sahib can say he was not aware of all these things. To this my reply is :

ہم کو ملا کے خاک میں کیسے رہ بھولے بنتے ہیں

جیسے انہیں خبر نہیں نیچے نگاہ نے کیا کیا

If he is not acquainted with these things he should at once rise equal to the occasion, get first hand information and set things right. Since when he will come and join our benches we shall be proud of him and

he shall be proud of us. I have put these thing before him for the present to be set right, praying :

یہی دن ہیں دعا لیلو کسی کے قلب مضطرب ہے

جوانی آنہیں سکتی مری جاں پہ نئے سرے

Pandit Govind Ballabh Pant : I rise to support the motion of Mr. Bedar and in doing so I definitely state that I propose a vote of censure against the Jail department and that, without reference to the disabilities under which Indians as such labour inside and outside jails, I will confine myself to two specific illustrations and will then put a definite question in respect of each of them to every occupant of the opposite benches. Sir, I think every reasonable man in this House must admit that our regard for law and order is as great as that of any citizen can be who desires the progress of his country and the expansion and enlargement of the rights of his countrymen. What I want you to answer is whether there are any limits to the humiliation of an Indian. First of all I refer you to the Tundla rape case—an ugly, disgraceful affair. Certain persons had committed a rape on an Indian woman. They happened to possess a white complexion. Their guilt was proved to the hilt in the High Court—a court presided over not by an Indian but by one who could claim and trace his descent to a country thousands of miles away. Well; they were found guilty, they were convicted, they were sentenced to whipping. What followed? One of their zealous members, Colonel Gidney, sent a wire, a memorial to the Government that the stripes should not be given by an Indian but by a member of his own community. Well I should not in any way accuse Colonel Gidney, I only lament our own position when we are so fallen, that even in respect of such vile criminals of the Anglo-Indian community, the members of that community should have the audacity, should have the feeling of comradeship to feel that whatever else may happen the stripes should not be given by an Indian; that is the depth of our degradation. But I do not wonder at that. We have submitted to a series of insults, we are reaping the fruits of our Karma: but what followed? The Government accepted that request—it is there that my complaint lies, they issued the order, and in fact the stripes were given not by the sweepers not by the Indians as is the case in the cases of big raises or others if they are Indian and are sentenced to whipping; but a European military officer was found to administer those stripes and it was he who did it. I put it to the Government, to the Hon'ble the Finance Member, to place himself in our position and to say whether he is prepared to accept that even the lowliest of the lowly, even the most abominable criminals in the land, persons who have been found guilty of offences like rape, should be treated in such a manner that even in the matter of whipping ordered by a court, the Government should go out of its way to say, "the untouchable Indians cannot touch the white flesh of these criminals?" Well Sir, if that is the policy of this Government, why mock that solemn document—the Queen's Proclamation? If that is the policy of this Government, why refer to your Instrument of Instructions? There you are doing things which no living man on earth can tolerate and still you expect us not to feel that Indians in this country cannot expect justice and that it is necessary for them to safeguard their very elementary rights? I do not stop at that and I go further and I ask what action was taken by the

[Pandit Govind Ballabh Pant]

Government even when the matter was brought to their notice? Things may have been done inadvertently; things can be done rashly, but I was shocked when questions were put and supplementary questions were asked, the Government did not budge an inch from that position and on the contrary tried to assert that what it did was the right thing to do and no favour had been shown. I put the question to the Government that if an Anglo-Indian even guilty of rape convicted by the highest tribunal established by themselves has the privilege that he will not be whipped by an Indian but by a person who is an Anglo-Indian and that at the instance of a member of that community, then what right has an Anglo-Indian or European to sit in those benches and to administer this country, what right have you to be in this country and say we will teach in your schools, we will preside over your courts, we will collect your revenue, we will determine your policy? You are entirely out of court and have no business to be there. Sir, this is one of those solemn moments on which I think all petty differences of man and man should disappear and if the Government does not come down today in sack-cloth and ashes and tell us that it was a mistake—it was a gross and serious mistake which was committed—for which they feel sorry from the bottom of their hearts, they must feel it and know it that, though their credit in this country is almost lost, they will be deepening the conviction that has been growing from day to day that they are here not only for the purpose of exploitation and their own profit but they are here for our humiliation and for adding insult to the injury we are suffering from.

That is, Sir, one of the incidents to which I refer you, and I refer to this with all the earnestness that I can command.

The other incident to which I refer is the pulling of fans for the European prisoners in Naini Jail by the Indian prisoners. We have been treated with the remark, we have been told again and again, that the jail is not a bed of roses, that the jail is not a place for enjoyment. So far as our knowledge goes the jail ought to be an instrument for reform; the jail is not an instrument for crippling people; it ought not to be an instrument for debasement or brutality or for converting a biped into a quadruped. The jail in all civilized societies is supposed to be one of the most useful institutions to which men are carried so that whatever vices they contract outside may be purged of them when they are put inside these asylums. But here the jails have only one policy, and that is the policy of vindictiveness. They are further meant for our humiliation. For the European prisoners the Indians are compelled to draw the fan! I tell you that I would not like that the European prisoners should undergo any torture. It is not there that the trouble lies. It is in this; why a European prisoner should as a matter of right have a fan and why an Indian prisoner should, as a matter of duty, be compelled to draw the fan. It is there that distinction comes in; it is there that our heart gets lacerated. I ask you: if they are both prisoners, if both of them have committed an offence against society, what is the reason for encouraging one of them to persevere in his course of villainy by being given all possible comforts inside the jail, and for forcing the other to be a criminal by being denied all the opportunities of reforming himself, whether he is inside the jail or outside it. I put the question whether any civilized Government

can say that such and such a prisoner is by birth, or by race, or by climatic conditions born to draw the fan, while the other is there to enjoy the cool breezes in the month of May in the towns of Naini, Allahabad or Lucknow. I put it: what justification is there for such a thing? With that you dangle before us the Queen's Proclamation. The question was put and the reasons were asked about the existence of such practice. We were told that it was because of their "extraction," that this privilege is given to them. I put the question to the Government whether any inquiry is made whether a particular prisoner who is given this privilege is born in London or Paris, or Mussoorie or Naini Tal and whether others who are born in Allahabad or Lucknow, Nagpur or Bombay, are denied this privilege. If it is not, what is this mockery of climatic conditions? If it is correct, if it is true, I ask is the same privilege, same advantage, given to a prisoner coming down from the heights of Mussoorie somewhere here in these places? If not, why should not the climatic conditions entitle him to the same privilege? The point is there, and this is as glaring as anything can be, that he is given this advantage because in this country, even a criminal, if he is possessed of a colour that may be anything but brown or black, has certain privileges which the most innocent saints in this land should not aspire to or claim. We have seen men being mistreated; we have seen men being persecuted; simply because their hue does not agree with that of those who are in power. Is it right, is it proper, that such sort of practices should be tolerated? I put it to the Hon'ble Ministers and ask what is their feeling when things like this are done? Do they think that it is right and proper? I put it to the Education Secretary what he thinks of it. These are the disabilities which are imposed on us not because of any disqualifications: But these are the disabilities that are heaped upon us because of our being the children of the soil of our country. Here, Sir, I ask you, can you expect us to have patience in matters like this? The Hon'ble the Finance Member is looking at the clock. I myself am not anxious to continue this agony. It is no pleasure to me. It is only a feeling which is as acute, as solemn and as keen as any man's can be. I ask them to take measure of it and if they do not I can only say that all these things will recoil on the heads of the Government sooner or later.

Then there is one more incident. Though not as strong as the others still it shows how the Government proceeds. A number of persons were sentenced in connection with a certain affair. But I think it will be better if I leave at these two and let the Government have their say.

We will come to that later. I hope that they will take full account of every word that they utter in this connection.

Pandit Sri Krishan Dutt Paliwal: I rise to say a few words about the administration of jails in these provinces.

The Deputy President: Is it about Superintendents of jails?

Pandit Sri Krishan Dutt Paliwal: As the question under discussion is about the general policy of jails I wish to speak on this.

The honourable member resumed his seat without making any further remarks.

[The Hon'ble the President resumed the chair.]

Lieut.-Colonel J. A. Clements : I rise to say a few words in reply to the points brought forward by the honourable member for Shahjahanpur. He referred first to the treatment of political prisoners and mentioned the fact that the rules relating to the treatment of these prisoners were secret instructions. These instructions have been published—he may not be aware of this fact. There is nothing secret about them. He went on then speaking about the differential treatment of Indian prisoners and mentioned defects. My only objection to the criticisms that the honourable member brings forward is that the criticisms belong to the past. He mentioned the fact that the prisoners have not been supplied with kummerbands, articles for tying up their trousers. That is not so. Within the last two years every prisoner has been provided with a kummerband. He then described graphically the latrine parade. I have not seen this latrine parade for many long years. I do not know where he has seen these parades.

Babu Bhagwati Sahai Bedar : In the Lucknow central jail.

Lieut.-Colonel J. A. Clements : Well, I go from jail to jail and I never see these parades. I have not seen these paradas since the war. I am sure that we will have no objection to issuing orders, and such parades will not be held, if they are held ; I am not aware that they are held anywhere. The third point the honourable member mentioned was the question of jail industries. This is a matter in which Government is greatly interested. This is a matter in which the Government, with a view to fixing a programme of work, appointed a committee and the proceedings of that committee were published in the gazette. Various recommendations were made.

Pandit Nanak Chand : What committee is the honourable member referring to ?

Lieut.-Colonel Clements : The Jail Industries Committee. That committee made several recommendations.

Pandit Baijnath Misra : Who were the members of that committee ?

Lieut.-Colonel J. E. Clements : The members of the committee were the Inspector-General of Prisons, the Director of Industries, the Deputy Secretary to Government in the Judicial department and the Deputy Secretary to Government in the Industries department. That committee made a series of recommendations and Government has carried out these recommendations within the limits of money available.

The first recommendation made by the committee was that industries dealing with jail supplies should be concentrated in certain jails. That has been done. The second recommendation was that in certain jails should be concentrated industries for supplying Government departments. That has been carried out, with an immediate advantage that the produce of material supplied to Government departments has increased by 40 per cent. There were recommendations dealing with the personnel. One recommendation made by the committee was that a superintendent of industries should be appointed and that various experts should be employed for supervising special industries in different jails. Government has not been able to provide money for the employment of a Superintendent of Industries, but a little has been done in providing experts. On my own responsibility I have retained an expert dyer in the Lucknow jails. We have established a considerable tailoring industry in the

Cawnpore jails which is turning out all the police uniforms, the chaukidars uniforms and the uniforms of the Excise department and the Forest department. From that industry there will be income of Rs. 30,000.

In regard to Mr. Bedar's complaints, my only objection is that he seems to live in the past. We are advancing very rapidly in the Jail department. We are not standing still. We are all moving forward. Many of the complaints made by the honourable members are those with which we have the fullest sympathy; we are not standing in the way. The honourable member spoke of the structural conditions in our latrines. He will be glad to know that something has been done. Government has allocated a sum of Rs. 10,000 with a view to help me to carry out structural changes in all the latrines in all the jails throughout the province; and already changes have been made in some jails. But our difficulty was in finding a standard plan. After considerable experimentation we have succeeded in getting a plan which is capable of general adoption without injury to our sanitary arrangements. After all, this was a great difficulty in the matter, to have a pattern of latrine which could be adopted and would provide a safeguard against insanitary conditions. I am glad to say we have succeeded and that this time next year it will be possible to say that these changes have been carried out everywhere.

I think the honourable member for Shahjahanpur made no other points.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: I am greatly moved by the speech made by my honourable friend the leader of the opposition. I admit that in the Jail department we are working under certain disadvantages. The Indian Jails Act under which we have got to work and the rules made thereunder are responsible for many shortcomings.

Pandit Baijnath Misra: Why not amend them?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: I am coming to that. We moved the Government of India from time to time with regard to the amendment of certain rules. We got certain points after waiting for a long time. The administration of jails in the United Provinces I do not say that is an ideal one or it is one of the best. But I would urge this Council to compare the Jail administration of the United Provinces with that of other major provinces. The order in connection with that infamous rape case was agreed upon under rule 482(a). I will read it out for the convenience of the Council. "A person inflicting the punishment of whipping, whether it has been ordered by a judicial court or is meted as a measure of jail discipline, shall be, wherever possible, of a higher caste than a sweeper."

Babu Mohan Lal Saksena: Are we to understand that Indians belong to a lower class than the Anglo-Indians?

Pandit Nanak Chand: Certainly, that is the implication.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: No, the honourable member for Bulandshahr is wrong. My interpretation of the rule was that a sweeper should not be allowed in this case. Had there not been an Anglo-Indian available we would have certainly asked a higher caste Indian to whip.

Pandit Govind Ballabh Pant: Are there any castes among Anglo-Indians?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: There may be or may not be castes but they are certainly superior to sweepers. I do not say that the order was altogether right, but I admit that there was this disadvantage that we had to work under the rule which was not clear.

A voice:— "Get it changed."

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: It was not possible for us to approach the Government of India to allow us to change the rule on the spur of the moment to suit our convenience; but I for one shall never agree unless this rule is amended according to the wishes of this House. I know that it is really and strongly felt by this House and I share, I whole-heartedly share, the views of the honourable members of this House. I would say a few words in this connection as a passing remark that we have advanced a little, though much ground is still left to be covered by us. Work patiently, do what you can to better your condition. Do not work with an agitated mind but work with solidarity and unity and you will reach the goal you desire.

Pandit Nanak Chand: I expected when the Hon'ble the Home Member rose to speak on this motion that he would pour oil on troubled waters. He has pointed out that the differential treatment which was meted out to Dorton and Ribelloe of the infamous Tundla rape case was on account of the rules which are in existence. Sir, we have recognized in the Hon'ble Home Member a nationalist of the foremost rank and it is a depressing sight to us that he after having held his esteemed office for four years should come here on the floor of this House and quote a rule which rendered him helpless. What steps, I ask him, did he take during the past four years to get such rules amended? It has been our constant complaint that he has not listened to the advice of the non-official members of this House regarding the departments which are under him because he owes no responsibility to this House.

He has read the rule in question to the House. It only requires that the whipping should not be done by a sweeper, but that it should be done by a member of a higher caste. I question him whether there was no other Indian available of a higher caste than a sweeper and whether the action of the Government was not in accordance with the wishes of the European community as represented by Colonel Gidney. It was not a mere accident that a European or an Anglo-Indian was appointed to administer the whipping. He wants to mislead the Council consciously or unconsciously by saying that he will never be satisfied . . .

The Hon'ble the President: The honourable member is not right in using the word "consciously".

Pandit Nanak Chand: I withdraw the words "consciously" or "unconsciously." He wanted to let this Council understand that he would never agree until this rule is amended in accordance with the wishes of this House. I ask him now after so many months have passed since the incident took place what active steps has he taken to get this rule amended? He has advised us to work patiently and not to work with agitated minds, but that does not mean that we should take insult after insult as he proposes that we should take them patiently. He has rendered lip service to my honourable friend, the leader of the Swarajist party, by stating that he has been greatly moved by his speech and the facts stated by him. But

the facts referred to by my friend Mr. Pant are facts the responsibility of which lies upon the Government of which the Hon'ble the Home Member is such an esteemed member.

The Inspector-General of Prisons has pointed out that Mr. Bedar was thinking of things of the past. I do not know if there is any non-official member or any official member who can offer any criticism on the basis of any future. He says in connection with the latrine parade that he has not seen one for many years. I, in spite of being a non-official member, have during the last two years seen such a parade myself. It was pointed out to me as an illustration of the efficient, organized and systematic working of the jail life, and still he wants us to believe that the latrine parade is a thing of the past. Then as regards the differential treatment, I shall add on the authority of the member for Dehra Dun that the friend of the Hon'ble the Home Member himself and our esteemed countryman Pandit Moti Lal Nehru, had to clean his commode with his own hands when he was in Lucknow central jail. He was not given any *pankha* facilities which were provided to the heinous criminals of Tundla rape case notoriety to whom reference has already been made. I have just received the Jail Manual through the courtesy of Mr. Bedar. Paragraph 494 reads—

“The prisoners will then be marched in file to the bathing platform, fill their water vessels and march in file to the latrine, where they will proceed in order to the cubicles. When they have finished they will sit at opposite ends of the latrine.”

This shows that the latrine parade paragraph is still there, and the Inspector-General of Prisons wishes us to believe that this is a thing of the past and is not in force at present. I need not say much on this topic. I feel confident that every Indian member of this House—whether he belongs to the official benches or to the non-official benches—including, I would say, even the Hon'ble the Home Member will join us in this vote of censure on the Government.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: The honourable member for Bulandshahr wishes me to join in passing a vote of censure on myself. The honourable member has particularly mentioned the case of the great leader of the Swaraj Party for whom I have great respect. The honourable member was a member of the old Council and is still a member of the Council, but to my great surprise he never said a single word either in 1921 or 1922 when Pandit Moti Lal Nehru was in jail.

Pandit Nanak Chand: I was not a visitor of the Central jail.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: He never drew the attention of this house to that incident. It seems to me that the Tundla rape case has opened his eyes to criticize the administration of the Jail Department. He has risen, therefore, rather too late in the day. Pandit Moti Lal Nehru was treated with every respect by the jail authorities, and he told me personally that he had no complaint of any sort against them. What I mean to submit is that the honourable Pandit was not treated in the manner described by the honourable member for Bulandshahr. As I have already stated, if more funds are allotted to the Jail Department, I shall devise means to remove the invidious distinctions as between Europeans and Indians, by locating prisoners from the hills at a cooler place.

Babu Mohan Lal Saksena : In spite of the two attempts made by the Hon'ble Home Member to explain the whole situation and to save his face, I am sorry to confess that he has left us where we were. The three pointed questions that were put to the Hon'ble the Home Member by my friend Pandit Govind Ballabh Pant, relating to the Tundla rape case, the pulling of fans and the invidious distinctions in jails between Europeans and Indians, have not been at all satisfactorily answered. Further, the Hon'ble the Home Member's reply was quite unsatisfactory in regard to a very pertinent question put by the honourable member for Bulandshahr, inquiring as to what steps the Hon'ble the Home Member took when he found that he had to submit to the rule in question. He confessed that he had also felt the humiliation at the invidious distinction that existed in the matter of inflicting punishment on Anglo-Indian prisoners. The House will remember that the honourable member for Pilibhit, being unsatisfied with the answers that were given by the Government to a series of questions on the subject, attempted to bring forward a motion for censure on the Government, but he was ruled out of order. If the eyes of the Hon'ble Home Member had been opened by the Tundla Rape case, like those of the honourable member for Bulandshahr, it was his clear duty to have the rule in question amended. He has not done so, and therefore by passing this motion of censure we shall be strengthening his hands to get the rule amended.

I had the honour of being a co-prisoner with Pandit Moti Lal Nehru, and I can bear out the fact that he had for some days to clean his commode and carry the night-soil himself. I would humbly request the Hon'ble Home Member not to depend too much on the underlings of his department, and I ask him as to how many times he has taken the trouble to visit the jails during his term of office ?

It is his duty to inspect the jails as head of the department at least once or twice in a year. In the circumstances I shall urge the honourable members of this House to press the motion to a division.

The question was put and the Council divided as below :—

Ayes (54).

Mr. H. David.
 Babu Narayan Prasad Arora.
 Babu Mohan Lal Saksena.
 Babu Damodar Das.
 Babu Jai Narayan Chaudhri.
 Babu Bhagwati Sahai Bedar.
 Thakur Manjit Singh Rathor.
 Rai Jagdish Prasad Sahib
 Chaudhri Sheoraj Singh.
 Pandit Nanak Chand.
 Lala Babu Lal.
 Thakur Rajkumar Singh.
 Thakur Shib Narayan Singh.
 Rai Bahadur Babu Ram Nath Bhargava.
 Rai Amba Prasad Sahib.
 Lala Dhakan Lal.
 Babu Nemi Saran.
 Chaudhri Badan Singh.
 Thakur Sadho Singh.
 Pandit Bhagwat Narayan Bhargava.
 Pandit Jhanni Lal Pande.
 Thakur Har Prasad Singh.
 Lieut. Raja Durga Narayan Singh.
 Lieut. Raja Bahadur Hukm Tej Pratap Singh.
 Pandit Sri Krishna Dutt Paliwal.
 Babu Paraidh Narayan Anad.
 Pandit Yajna Narayan Upadhya.

Babu Dip Narayan Roy.
 Rai Bahadur Thakur Hanuman Singh.
 Bhaya Hanumat Prasad Singh.
 Pandit Baijnath Misra.
 Pandit Govind Ballabh Pant.
 Pandit Hargovind Pant.
 Mr. Mukandi Lal.
 Babu Ram Chandra Sinha.
 Dr. Jaikaran Nath Misra.
 Kunwar Rajendra Singh.
 Thakur Hukum Singh.
 Kunwar Surendra Pratap Sahi.
 Mr. Zahir Ahmad.
 Dr. Muhammad Naim Ansari.
 Mr. Muhammad Aslam Saifi.
 Maulvi Zahur-ul-din.
 Rao Abdul Hamid Khan.
 Maulvi Muhammad Obaid-ur-Rahman Khan.
 Hafiz Hidayat Husain.
 Dr. Shafa'at Ahmad Khan.
 Saiyid Muhammad Ashiq Husain.
 Mr. Ashiq Husain Mirza.
 Raja Saiyid Ahmad Ali Khan Alvi.
 Lala Mathura Prasad Mehrotra.
 Raja Shambhu Dayal.
 Raja Jagannath Baksh Singh.
 Dr. Ganesh Prasad.

Noes (21).

The Hon'ble Mr. S. P. O'Donnell.	Mr. J. R. W. Bennett.
The Hon'ble Raja Sir Muhammad Ali Muhammad Khan, Khan Bahadur.	Mr. S. H. Fremantle.
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.	Mr. R. Burn.
The Hon'ble Rai Rajeshwar Bali.	Mr. B. J. K. Hallowes.
Mr. G. B. Lambert.	Mr. C. M. King.
Mr. E. A. H. Blunt.	Lieut.-Col. J. E. Clements.
Kunwar Jagdish Prasad.	Mr. A. D. Ashdown.
Mr. G. B. F. Muir.	Colonel A. W. R. Cochrane.
Mr. A. C. Verrières.	Mr. A. H. Mackenzie.
Mr. C. E. D. Peters.	Mr. G. Clarke.
	Babu Khem Chand.

Motion agreed to.

Kunwar Surendra Pratap Sahi: What has happened to my motion No. 2?

The Hon'ble the President: If the honourable member desires to move it, he can do so.

Kunwar Surendra Pratap Sahi: With your permission I would like to amend my motion in that I wish to substitute Rs. 10 for Rs. 33,940.

The Hon'ble the President: No, that cannot be done. The honourable member can move his original motion.

Kunwar Surendra Pratap Sahi: I move that the demand of Rs. 66,840 in respect of the item regarding superintendence at page 53 of the Detailed Estimates be reduced by Rs. 33,940.

There is an abrupt and unexplained increase here of almost cent per cent. and I want the Government to explain the reasons for this increase.

Mr. E. A. H. Blunt: The easiest place to find the explanation is not on page 53, but on page 54, which gives the details. If the honourable member will look at the last item under the head "Contingencies" he will see a new item "Petty construction and repairs"! That is made up of two sums: one of Rs. 28,000, which is a mere transfer from the Public Works department budget due to the fact that minor works are now being carried out by the department itself, and the other an additional sum of Rs. 10,000. This is also mentioned in the memorandum, and it is to be spent on improvements to latrines in the jails. This Rs. 38,000 accounts for the whole increase and in fact rather more. There are as a matter of fact decreases under all other heads.

Kunwar Surendra Pratap Sahi: I beg to withdraw my motion.

Motion by leave withdrawn.

Dr. Ganesh Prasad: My object in bringing forward this motion which I will now move is to elicit some assurance and information from the Government. I beg to move that the demand of Rs. 40,000 in respect of the item regarding the revision of the pay of the jail staff in the United Provinces at page 53 of the Detailed Estimates be omitted.

The Jails Committee made certain recommendations and those recommendations may be divided into two parts, one relating to the improvement of the conditions in jails in regard to the prisoners and the second relating to the jail staff. What the Government has done in regard to the recommendations relating to the treatment of the prisoners

[Dr. Ganesh Prasad.]

is I think almost too patent to the honourable members of this House after what they have heard during the last 40 or 50 minutes. I therefore do not want to inflict on this House what I think of the attitude of the Government towards these recommendations of the Jails Committee. Most of those recommendations I have got in this book but I am not going to read them. Personally I think that those recommendations have not been really given proper effect to, in fact no sincere attempt seems to have been made to give effect to those recommendations. That is of course my opinion.

Now, the second point relates to the recommendations with respect to the jail staff. One recommendation is that a better class of men should be recruited to the jail staff. I know what the attitude of the Government was a few months ago about the men who would be recruited to the position of deputy jailor not to the position of jailor because the Government had decided that no one should be directly appointed as a jailor. I may have my own quarrel with that recommendation, but here I am speaking of the attitude of the Government as it was three or four months ago about the recruitment of men as deputy jailors. The idea of the Government was that a man of a fairly educated type, one who had passed the intermediate examination or was preferably, a graduate, should be appointed to that post. I want to know from the Government whether that is the position of the Government today, because I am naturally interested in the employment of graduates, as I represent, as most of my friends know, a learned constituency and the more graduates are employed, the better it will be for that constituency. My second point is this: whether this grant of Rs. 40,000, which is much less than what the Government wanted about eight months ago—the Hon'ble the Home Member wanted Rs 80,000—whether that forty thousand is intended for each and every member of the jail staff, whether each and every member of the jail staff is going to benefit by this re-organization of salaries or only a picked few. If it is only a picked few, who are going to benefit, what would be the approximate proportion of those people to the total staff? I want the Hon'ble the Home Member to state here as clearly as he can what his position is with regard to these two questions. What kind of men will be recruited to the jail staff and what kind of men will benefit if we pass this demand of Rs. 40,000?

Mr. Mukandi Lal: When I move my motion, I do so on economical grounds. I move that the demand of Rs. 27,67,775 . . .

The Hon'ble the President: I cannot take that motion until I see what has happened to the other motions.

Mr. Mukandi Lal: Then I had better support the motion of Dr. Ganesh Prasad. In this connection I will urge economic reasons. Those grounds are that according to the statement given in the administration report on jails we find that the cost per head of prisoners has fallen from 125 to 99·14. There is still room for economy. Secondly, I find from the report that 50 per cent. of prisoners are employed in remunerative labour. If the . . .

The Hon'ble the President: This is a motion on the revision of the pay of the staff?

Mr. Mukandi Lal : I am only concerned with the prisoners and not with the staff. However, I will move my motion later.

Hafiz Hidayat Husain : I wanted to draw the attention, by my motion, of the Hon'ble the Home Member to certain facts in connection with the administration of the Jail department. The Hon'ble the Home Member has stated today. . . .

The Hon'ble the President : I do not think the honourable member understands what we are at. The motion that we are dealing with relates to a lump sum put into the budget for the revision of the pay of the jail staff.

Hafiz Hidayat Husain : That is true.

The Hon'ble the President : But the honourable member did not begin as if he had understood it.

Hafiz Hidayat Husain : I have followed you, Sir. All that I want to say is that the Hon'ble the Home Member was pleased to mention that he would be very glad if complaints with regard to the administration of the jail establishment are brought to his notice. I wanted to bring certain facts with regard to the way in which jailors and deputy jailors in some jails have been treated recently by the Inspector-General of Prisons. There have been cases of differential treatment. I have a list of these cases with me and I hope the Hon'ble the Home Member will look into this matter.

The second point is with regard to direct recruitment. In answer to a question of mine the Hon'ble the Home Member stated that the scheme of direct recruitment for the jail establishment was under consideration. I want to know how far that scheme has advanced.

The third point is about time-scale of jailors and deputy jailors. I shall be glad if this time-scale is brought into effect as soon as possible. I think it would be a good thing if all those persons who have served their pensionable periods are done away with before this time-scale is brought into effect because in that case the jailors and deputy jailors who are more fit for service will be retained and will get their deserved promotions.

Mr. J. R. W. Bennett : As the honourable member for Allahabad University has pointed out, the present proposals for revising the pay of the jails staff fall considerably short of what was originally proposed. The Finance Committee suggested or rather recommended various restrictions and the present scheme has been worked out in accordance with their recommendations and in consultation with the Finance department. They recommended that efficiency bars should be made to operate so that not more than 30 per cent. of the existing staff of jailors, deputy jailors and clerks pass the first bar. This has been carefully examined and I may say that the present scheme includes this provision. Secondly, each individual officers has been placed in the new scale in accordance with the Fundamental Rules. The result has been that the cost of this scheme has been very considerably reduced, from Rs. 80,000 or more to the amount which is now before the Council. The honourable member also asked about qualifications. The Finance Committee recommended that the qualifications for the new jailors should be the Intermediate examination as a minimum and that preference should be given to graduates. He also asked what has been

[Mr. J. R. W. Bennett.]

done in this connection. So far nothing has been done because the scheme has not yet come into effect. A Selection Board is, however, going to be set up to select recruits for the Jail department in accordance with this recommendation. For the present it is proposed to recruit directly half the number required and to promote half from officials who are already in the Jail department. I should like to point out that the present proposals do not altogether coincide with those of the Indian Jails Committee; they are rather below these recommendations. We found that the proposals of the Indian Jails Committee would involve us in prohibitive expenditure. For example they suggested a maximum pay of Rs. 450 for jailors. For financial reasons we had to reduce that to Rs. 400. Generally, however, the principles suggested by the Indian Jails Committee have been followed and in particular the suggestion of an incremental scale of pay.

Dr. Ganesh Prasad : I take it the Government has accepted practically *in toto* the recommendations of the Finance Committee in the matter. After assurance by the Government I withdraw my motion.

Motion by leave, withdrawn.

The original demand for Rs. 32,03,560 as reduced by the vote of the Council by Re. 1 was put and voted.

The Council was then adjourned to the following day.

LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

Wednesday, 25th March, 1925.

The Council met in the Council Chamber, Lucknow, at 11 a.m.
The Hon'ble the President in the Chair.

PRESENT:

The Hon'ble Mr. S. P. O'Donnell.
The Hon'ble Raja Sir Muhammad Ali
Muhammad Khan, Khan Bahadur.
The Hon'ble Lieut. Nawab Muhammad
Ahmad Sa'id Khan.
The Hon'ble Rai Rajeshwar Bali.
Mr. G. B. Lambert.
Mr. E. A. H. Blunt.
Kunwar Jagdish Prasad.
Mr. G. B. F. Muir.
Mr. A. C. Verrières.
Mr. O. E. D. Peters.
Mr. J. R. W. Bennett.
Mr. S. H. Fremantle.
Mr. K. Burn.
Mr. B. J. K. Hallows.
Mr. C. M. King.
Mr. F. F. R. Channer.
Colonel A. W. R. Cochrane.
Mr. A. H. Mackenzie.
Mr. G. Clarke.
Raja Bahadur Brij Narayan Rai.
Mr. H. C. Desanges.
Mr. H. David.
Babu Khem Chand.
Babu Narayan Prasad Arora.
Babu Sangam Lal.
Babu Mohan Lal Saksena.
Babu Damodar Das.
Babu Jai Narayan Chaudhri.
Babu Bhagwati Sahai Bedar.
Thakur Manjit Singh Rathor.
2nd-Lieut. Chaudhri Balwant Singh.
Rai Jagdish Prasad Sahib.
Chaudhri Jaswant Singh.
Chaudhri Sheoraj Singh.
Pandit Nanak Chand.
Lala Babu Lal.
Thakur Rajkumar Singh.
Thakur Shib Narayan Singh.
Rai Bahadur Babu Ram Nath Bhargava.
Rai Amba Prasad Sahib.
Rai Bahadur Pandit Kharagjit Misra.
Lala Dhakan Lal.
Babu Nemi Saran.
Chaudhri Badan Singh.
Rao Sahib Kunwar Sardar Singh.
Thakur Sadho Singh.
Pandit Brijnandan Prasad Misra.
Pandit Bhagwat Narayan Bhargava.
Pandit Jhanni Lal Pande.
Thakur Har Prasad Singh.
Lieut. Raja Durga Narayan Singh.

Lieut. Raja Bahadur Hukm Tej Pratap
Singh.
Pandit Sri Krishna Dutt Paliwal.
Babu Parsidh Narayan Anad.
Pandit Yajna Narayan Upadhyaya.
Babu Dip Narayan Roy.
Rai Bahadur Thakur Hanuman Singh.
Raja Indrajit Pratap Bahadur Sahi.
Bhaya Hanumat Prasad Singh.
Pandit Baijnath Misra.
Pandit Govind Ballabh Pant.
Pandit Hargovind Pant.
Mr. Mukandi Lal.
Babu Ram Chandra Sinha.
Raja Shankar Sahai.
Dr. Jaikaran Nath Misra.
Kunwar Rajendra Singh.
Rai Bahadur Thakur Mashal Singh.
Babu Sita Ram.
Kunwar Surendra Pratap Sahi.
Rai Bahadur Babu Shankar Dayal.
Mr. Muhammad Zahur Ahmad.
Mr. Muhammad Aslam Saifi.
Dr. Muhammad Naim Ansari.
Maulvi Zahur-ud-din.
Rao Abdul Hamid Khan.
Khan Bahadur Chaudhri Amir Hasan
Khan.
Maulvi Muhammad Obaid-ur-Rahman Khan.
Dr. Zia-ud-din Ahmad.
Hafiz Hidayat Husain.
Khan Bahadur Shaikh Masud-uz-Zaman.
Nawab Muhammad Yusuf.
Khan Bahadur Mr. Muhammad Ismail.
Dr. Shafa'at Ahmad Khan.
Saiyid Muhammad Ashiq Husain.
Khan Bahadur Maulvi Fasih-ud-din.
Khan Bahadur Maulvi Muhammad Fazl-
ur-Rahman Khan.
Khan Bahadur Hakim Mahbub Ali Khan.
Mr. Ashiq Husain Mirza.
Khan Bahadur Munsbi Siddiq Ahmad.
Qazi Habib Ashraf.
Raja Saiyid Ahmad Ali Khan Alvi.
Khan Bahadur Chaudhri Muhammad
Rashid-ud-din Ashraf.
Shaikh Abdus Samad Ansari.
Mr. St. George H. S. Jackson.
Lala Mathura Prasad Mehrotra.
Raja Shambhu Dayal.
Lieut. Raja Shaikh Imtiaz Rasul Khan.
Raja Jagannath Bakhsh Singh.
Rai Bahadur Babu Vikramajit Singh.
Dr. Ganesh Prasad.

MEMBER SWORN :

Mr. F. F. R. Channer.

FINANCE AND PUBLIC ACCOUNTS COMMITTEES.

The Hon'ble the President: The usual election of eight members for the Finance Committee and the Committee on Public Accounts takes place to-day in the usual manner. Votes will be taken up to quarter of an hour after I adjourn for lunch.

Pandit Nanak Chand: What time will they begin to be taken?

The Hon'ble the President: They will begin from now, and will be received by the Secretary up to a quarter of an hour after I adjourn for lunch. That is, if I adjourn at 1-30, votes will be received up to 1-45.

THE BUDGET, 1925-26.

MOTIONS FOR DEMANDS FOR GRANTS.

Demand No. 19.

HEAD 5.—LAND REVENUE.

The Hon'ble Mr. S. P. O'Donnell: I beg to report to the Council the recommendation of His Excellency the Governor that under Head Land Revenue a sum of Rs. 86,95,080 be provided, and I move that this sum be voted.

The Hon'ble the President: This motion for a reduction of Rs. 15,000 in the name of Mr. Mehrotra—does it refer to any particular item?

Lala Mathura Prasad Mehrotra: Yes, Sir—there are three items. On page 23 there is Contingencies—partition establishment.

The Hon'ble the President: We will come to that later.

I will take item by item and take the general motions at the end. The first motion, motion No. 2, is in the name of Babu Damodar Das.

Babu Damodar Das: I do not move it.

The Hon'ble the President: The next one is in the name of Rai Bahadur Thakur Hanuman Singh, motion No. 3.

Rai Bahadur Thakur Hanuman Singh: I rise to move that the demand of Rs. 12,537 in respect of the item regarding Collectors' office establishment (nazul) at page 22 of the Detailed Estimates be reduced by Re. 1.

Sir, my intention in making this motion is to bring to the notice of this House and the Government certain grievances of the tenants of nazul lands in qasba Girdnawah in the town of Rae Bareilly. This question has been pending before Government since, I think, about 1916. A resolution was moved by Sirdar Birpal Singh in this House on 26th January, 1922. The then Hon'ble the Finance Member assured the House that he would appoint a committee consisting of the Commissioner of Lucknow, the Deputy Commissioner of Rae Bareilly, Sirdar Birpal Singh, Mr. Afzul, and one representative of the municipal board of Rae Bareilly; and this representative was Mr. Muhammad Ibrahim. This committee inquired fully into the circumstances and submitted its report regarding the realization of the costs of the suits which were

instituted against 1,100 and odd tenants and the terms on which these tenants should be allowed to retain the land and the houses standing thereon. Afterwards the Government sent a draft of the lease, the terms of which were so very harsh in relation to the interests of the tenants and their houses on the land that the committee and others did not approve it. At the same time, it was found that if these terms were retained in the lease in no time the tenants would be ejected from the land and the houses and the underlings of the Nazul department would find every opportunity for harassing the tenant. On this Sirdar Birpal Singh made a representation to the Deputy Commissioner and, through him, to the Government. But no proper consideration was given to that. It was understood when the Hon'ble the Finance Member took upon himself to appoint a committee that the rent will be nominal as in one of the communications it was stated so. There are certain tenants who could hardly pay even one anna per month, not to speak of a higher rent. At the same time there is one question which should be considered by Government when this is taken into consideration. It is this, that the land and houses are in the occupation of the tenants since 1626 without payment of any rent. Now, the tenants find it too hard to pay. But as the Government won the cases the tenants find that there is no way for them to escape the payment of rent. They must pay, but in consideration of their long occupation of the land and houses the rent which they will be asked to pay must be nominal and the terms of lease should be so mild that nazul underlings may find no opportunity to harass them. One of the terms is that the houses should not be let on hire. Well, Sir, there are certain residents on the land who, on account of service outside or for the sake of earning their bread have to leave their houses for a long time. If they give the house to others on rent I think there will be no loss to the Government. At the same time the rent which they get on the house will be spent in repairing the houses. Sometimes they may be able to make some profit also out of it. I am of opinion that the grievances of the tenants should be redressed as soon as possible and the question should be decided keeping the right of the Government on the land in view, favourably to the tenants. With this view I propose that a re-inquiry should be held and a committee consisting of the Commissioner of Lucknow, the Deputy Commissioner of Rae Bareilly and the chairmen of the district and municipal boards of Rae Bareilly, and the Hon'ble Raja Sir Rampal Singh should be appointed. They should be asked to express an opinion on the following points: what should be the terms of lease, who should be remitted the cost of the suits on account of poverty, the assessment of rent, the mode of realization, and any other matter which the Government may think it proper to refer to that committee. The proposals of the committee should be submitted to Government so that they may find it easy to adopt them both in the interests of the Government and in the interests of the tenants who have been residing in the land.

The Hon'ble Mr. S. P. O'Donnell: I am a little surprised that there should have been any criticism of the way in which the tenants of Rae Bareilly have been treated, because I was under the impression that the tenants themselves had recognized that they had been treated in the most generous manner. Government instituted suits to establish its right to this land in Rae Bareilly and Government won the suits and the land is the property of the Government. We decided, however, to treat

[The Hon'ble Mr. S. P. O'Donnell.]

the tenants with the utmost consideration and we have offered and are offering them land at a nominal rent of one anna a year, not a month, but one anna a year. This is absolutely a pepper-corn rate, and we have told them that as long as they or their heirs and successors occupy these lands and houses there will be no increase in the rent. They will be allowed to occupy at this absolutely nominal rent. The only condition we proposed was that if they wished to sell or transfer for a profit that would give us the right to revise the terms. My honourable friend Thakur Hanuman Singh has said that there are cases in which tenants are engaged in occupations which render it impossible for them to live at Rae Bareilly and that these tenants are compelled to let their houses. Well, that kind of case has not yet been brought to my notice, but I will inquire regarding such cases. We have imposed no harsh treatment on any tenants. Although the whole of this land is ours we have said that the tenants, their heirs and successors may occupy it at one anna per year. That surely is very liberal treatment.

Rai Bahadur Thakur Hanuman Singh : There are other points.

The Hon'ble Mr. S. P. O'Donnell : Well, I am quite prepared to discuss them with the honourable member outside the Council.

Motion by leave withdrawn.

Hafiz Hidayat Hussain : I beg to move that the demand of Rs. 3,11,000 in respect of the item regarding total partition establishment at page 23 of the Detailed Estimates be reduced by Rs. 11,000.

My reason for asking for this reduction is that last year the demand was Rs. 2,95,000 only. There is no explanation as to why it should have been enhanced to Rs. 3,11,000 this year. Then, there are one or two suggestions that I wish to make with regard to this partition branch of the Revenue Administration. The first is that in my opinion there ought to be one officer for each district to do the partition work. That is to say the work instead of being undertaken by every sub-divisional officer for his own sub-division should be delegated to one particular officer and he should be in charge of the partition work of the entire district. My second point is that I think as far as possible patwaris should not be employed on partition work. Patwaris as a class are not, in my opinion, fit to undertake the partition work of villages. My next point is that the amins who do the partition work should be better supervised. The reason for the first suggestion is, that the sub-divisional officer who is in charge of the partition work of his pargana takes up the work at the fag end of the court work and the result is that he hurriedly goes through most important issues involved in the proceedings, for example, the distribution of land (of similar quality and advantages) among the co-sharers, etc., with the result that the zamindar whose property is subject of partition goes absolutely dissatisfied with the manner in which the partition proceedings have been conducted. The appointment of a special officer will ensure better supervision and expedition in work. For these reasons I move for the reduction of this demand.

Khan Bahadur Maulvi Fasih-ud-din : I beg to move that the demand of Rs. 2,11,120 in respect of the item regarding the salaries of field establishment inspectors and amins of partition establishment at page 23 of the Detailed Estimates be reduced by Rs. 5,000.

My object in bringing forward this motion is this; that under the orders of the Board of Revenue partition work has been stopped in those districts in which the operations of survey and land-records are going on, and the number of such districts is eight. For this reason the partition amins who happen to be appointed in those districts have practically no work to do, and my proposal, therefore, is to cut down their pay at least for the next year. I may also submit that most of these partition amins are thrown overboard without getting any employment. They are not employed even in the Settlement department, nor are they employed in any of the temporary departments, such as the Copying department or the Court of Wards and I have written to the Hon'ble the Senior Member of the Board of Revenue on this subject. I understand that he has very kindly taken some action on that proposal of mine.

Mr. S. H. Fremantle: Two points have been mentioned by Mr. Hidayat Husain. The first is about the way in which partition work is dealt with by deputy collectors. He says that it often comes up at the end of a heavy day's work and does not receive proper attention; and his proposal is that the partition work should be entrusted in each district to one deputy collector. Well, that is a system which we have tried and, I may say, quite successfully. When I was in Meerut a few years ago there was a great deal of partition work in the district and it was done by one deputy collector, and I think there are one or two other districts in which it has been tried. But it is obvious that it is not possible to do this in every district. There is only a small staff and each man has to have a sub-division and unless the number of deputy collectors is increased, it would be quite impossible to adopt this system universally. What is done is that where there is a great deal of partition work, then a special case is made and an extra man is appointed to deal with it. I am aware that the partition work does not always meet with the attention which it deserves. I am afraid I must say that that is the case with, a good deal of other work. It depends really on the assistant collectors adopting more systematic methods, in which case they would, no doubt very much to their surprise, find that the work was done punctually and time would be available for all the work they have to do. He also mentioned the case of patwaris being utilized for partition work. Patwaris are only used for this work when the parties agree; any party to the partition has a right to object. Government have been encouraging the use of patwaris in the hope that a man who is closely in touch with the village will be accepted as one who can do the work with greater facility and with greater satisfaction to both parties. But if the parties, as is practically universally the case, object to the patwari, then an amin is appointed.

As to Maulvi Fasih-ud-din's point, I have received his letter about the partition amins, and the fact is that usually in a district where a record operation is going on some partition amins are appointed as inspectors of the work of patwaris. Sometimes also when record work is started in a district and partition is stopped, the case of permanent amins is reported to the Commissioner, and he attempts to find temporary places for them in districts where temporary partition amins are being employed at the time. But I will inquire further into this matter of partition amins who have come under reduction on account of record operations and will inform the honourable member, who is interested in the subject, what the result of this inquiry is.

[Mr. S. H. Fremantle.]

Motions by leave withdrawn.

Khan Bahadur Maulvi Fasih-ud-din: I propose to move that the demand of Rs. 11,500 in respect of the item regarding (Contingencies) contract at page 23 of the Detailed Estimates be reduced by Rs. 3,000.

This sum, which I propose for reduction, represents the amount in excess of the present budget over the current year's budget. As I have just remarked in connection with another motion of mine, when the partition amins are being brought under reduction in the districts in which settlement operations are going on, I see absolutely no reason for making any increase in the contingencies in connection with this department. On the other hand, I expect some substantial decrease under this head.

Mr. E. A. H. Blunt: The Government is prepared to accept this reduction of Rs. 3,000.

Motion agreed to.

Lala Mathura Prasad Mehrotra: I beg to move that the demand of Rs. 28,203 in respect of the item regarding Court of Wards establishment be reduced by Rs. 2,000. If the honourable members will kindly turn to page 23 of the Detailed Estimates they will find that there is an increase of Rs. 3,000 under this head. Last year the budget estimate was Rs. 25,224 and the revised estimate was Rs. 25,000, while in 1923-24 the amount budgeted was only Rs. 23,274. I therefore move that the demand of Rs. 28,203 be reduced by Rs. 2,000 and hope the Hon'ble the Finance Member will accept it.

Mr. R. Burn: I may point out to the honourable member that out of this increase of Rs. 3,000 a sum of nearly Rs. 1,600 relating to provident fund is really a transfer from one head of the budget to another. As regards the increase generally, this establishment is the establishment provided in district offices in connection with the management of estates in those districts where there is no special manager. The establishment must vary from year to year according to the number of estates which come under management or are released. When these estates are managed by the Collector; we employ a special staff of ziladars, occasionally sarbarahkars and office staff. We have a fixed scale for that and it depends largely on the total income of the estate and no increase can be made by the Collector without sanction. The case of every one of these clerks is carefully examined.

Motion by leave withdrawn.

Rai Bahadur Thakur Hanuman Singh: I beg to move that the demand of Rs. 31,740 in respect of the item regarding total establishment at page 23 of the Detailed Estimates be reduced by Re. 1. In this connection I have not much to say. I only wish to draw the attention of the Court of Wards to the fact that it should impress upon the Collectors the necessity of inspecting Court of Wards offices and the work of managers in other respects. I find that the Collectors do not think it their duty to inspect the offices of the managers even once a year. As regards the desirability of the inspection by superior officers, I think the Government is fully convinced of it.

Mr. R. Burn: I would explain to the honourable member that this has nothing to do with special managers at all. It applies, as I have

just explained to the honourable member for Sitapur, to establishment in the office of Collectors where there is no special manager. But I may just add that in the annual reports sent up by Collectors on the Court of Wards estates, we now insist on having a note showing the inspections which have been made by the collectors of the Court of Wards offices and the general result of their inspection and this is examined by the Board when we pass orders on the report.

Motion by leave withdrawn.

Rai Bahadur Thakur Hanuman Singh : I beg to move that the demand of Rs. 9,597 in respect of the item regarding total establishment at page 23 of the Detailed Estimates be reduced by Re. 1.

I find this provision has been made for the establishment of the Court of Wards engineer, under head revenue and I fail to understand why it stands here in the Detailed Estimates. It should be provided in the Court of Wards budget, because, so far as I know, the salary of the engineer is paid out of the income of the Court of Wards. I wish to be enlightened on this point.

Mr. R. Burn : The honourable member has criticized this provision mainly in regard to the place in which it occurs in the budget. I will discuss this question with the Financial Secretary regarding next year. I should like, however, to explain to the Council that this provision is not for a building engineer, but for a well-boring engineer, who is sent from estate to estate as occasion requires. When he is in a district, he acts under the orders of the Collector concerned, but otherwise he is subject to the professional supervision of the agricultural engineer, who is a specialist in this work. He is paid from the rate which is levied on estates for superior management under Act X.

Motion by leave withdrawn.

Pandit Hargovind Pant : I beg to move that the demand of Rs. 4,44,100 in respect of the item regarding charges of administration at page 21 of the Detailed Estimates be reduced by Rs. 1,000.

My object in bringing forward this motion is to ventilate two grievances of the people living in some distant patties of district Almora. One is with respect to the cattle revenue which is realized from the residents of patti Malla Johar in district Almora and which is treated as part of land revenue. On this subject, on the 11th September, 1924, I put a question to the Government in the following terms:—

“Does the Government realize Rs. 1,591-1-11 from the residents of patti Johar in district Almora by way of cattle revenue, and if so, under what law are these realizations made?” Curiously enough, the reply was given by the Chief Conservator of Forests, although the question did not relate to his department at all. He said:—

“Joharis being for the most part a non-agricultural people, revenue was assessed at the last settlement partly on land and partly on pack animals, and land revenue so assessed is now recovered.” My honourable friend Mr. Mukandi Lal then put a supplementary question, inquiring under what law these realizations are made, but no answer was forthcoming from the Government. The fact of the matter is that of all the residents of pargana Bhote (i.e. of the parts where the Bhotia traders of district Almora reside) consisting of Darma, Bias,

[Pandit Hargovind Pant.]

Chandas and Talla Malla Johar only residents of Malla Johar are required to pay Rs. 1,591-1-11 by way of land revenue because they keep pack animals. Honourable members of this Council are perhaps aware of the fact that all these traders, who are commonly known as Bhotias, carry on a good deal of trade between India and Tibet through the passes of the Himalayas, and in order to do so, it is very necessary that they should keep goats, sheep, and *jhupus* (a kind of cow which is peculiar to that part of the country). It is apparent that even under the wide definition of "land" that is given in the Land Revenue Act only lakes and trees are included in the land, but there even horned and hooved animals and ponies are treated as land and land revenue is being realized because the people happen to keep these animals. I have just said that a question was put about the law under which these realizations are made, but no answer has so far been forthcoming. I may also just illustrate the anomaly of the position by saying that the number of cattle has nothing whatever to do with the amount of revenue that is realized from the people. This number varies from year to year as there are constant epidemics carrying away large numbers of these pack animals every year. Only in 1923 there was a virulent type of disease among the goats and sheep of those parts. A large number of them died but still the people had to pay the same amount. Although there may be remissions in the case of floods or other calamity with regard to land in other parts of the province, but these people get no remissions whatsoever. To tell the truth, the tax to which they are subjected is altogether illegal and is being realized simply because it happened to be levied in the time of Sir Henry Ramsay, Commissioner of these parts. Circumstances have changed considerably since then.

The Hon'ble the President: I hope the honourable member will be a little brief. The whole thing is mysterious to me. I wanted the honourable member to have his say on the subject of administration and it is not intelligible to me how the point he is making comes under that subject.

Pandit Hargovind Pant: Realizations are made by the Revenue department and as part of land revenue it is realized through the revenue officers of the Government, that is patwaris, tahsildars, and others.

The Hon'ble the President: We will come to patwaris and kanungos later. However I may ask the honourable member to be brief.

Pandit Hargovind Pant: My only point is this that this realization is illegal and it is invidious because it is realized from the people of Johar and from no one else. It is also unfair, inasmuch as no compensating return is made to the people who make these payments, that is no help by way of veterinary assistance is given to these people. So I would just content myself by saying that this cattle revenue should in no way be treated as part of land revenue and should be abolished at once. As it is illegal, I hope the Government will take the earliest opportunity of looking into the matter and of discontinuing this tax altogether. I may also submit for the information of the House that the residents of Johar also pay land revenue, although it may be a small amount, but that they pay it quite separate from this cattle

revenue. They have to pay income-tax and they have also to pay grazing dues. So, in any case, they should not be saddled with more than one tax, even if these cattle are to be treated as part of the land. The other grievance that I want to ventilate in connection with this motion is the grievance of the tenants of pargana Askot, which consists of 142 villages under the zamindari of the Rajbar of Askot. Although the tenure in Kumaun concedes certain rights to the *khaikars*, who are divided into two classes, *pucca khaikars* and *kutchha khaikars*, *pucca* being recognized as under-proprietors and the *kutchha* ones as occupancy tenants, in pargana Askot the Government has rather treated these tenants in a very unfair manner by allowing the *Rajbar* to encroach upon the rights of the tenants. Even where these tenants own complete villages and are consequently *pucca khaikars* and their rights should have been recognized as under-proprietors, these rights are not recognized by the Government and the *Rajbar* is left free to do whatever he pleases with the tenants particularly with regard to unmeasured village land.

The Hon'ble the President : I do not think any member of the House understands the subject at all.

Pandit Hargovind Pant : All the same, if there is a grievance I believe I shall be given an opportunity of ventilating it.

The Hon'ble the President : I will ask the honourable member to be very brief.

Pandit Hargovind Pant : Some time back I happened to give notice of a resolution on this subject, but it was disallowed because the question was considered to be too insignificant and too local. If I am allowed to discuss the matter now, I hope I will be able to enlist the sympathy of this House and honourable members will be taking some interest in the matter and will see that, although Askot is rather a distant part of this province, at least the people of that place are entitled to some sort of justice.

I have just submitted that the two classes of tenants in Kumaun are *pucca* and *kutchha khaikars*. *Pucca khaikars* are under-proprietors and these under-proprietors have full rights within the boundaries of their own villages, but in this particular case these tenants being removed from the headquarters and also from places where they can take their grievances cannot have their grievances attended to and their rights of under-proprietorship have been taken away. The *Rajbar* does not allow them to make additions to their measured fields and if they happen to bring into cultivation any piece of land, they are required to pay heavy rents in kind.

I may also mention the fact that *begar* or forced labour is even now taken from these tenants. I had put a question to the Government on that point and the answer that was given to me was very evasive. I was told that the Government officials did not take any *begar*. They just let the matter remain where it was and did not answer the point whether the *Rajbar* took any *begar* from these tenants. Then there is the question of *bisodi*, which means that those people are required to sell away their grain to the *Rajbar* at rates which would appear so very extraordinary.

[Pandit Hargovind Pant.]

The Hon'ble the President : I must really ask the honourable member to leave it at that point. I cannot make out that this has anything to do with the item under this sub-head where we are dealing with collector's office establishment, honorary assistant collector's establishment, process-serving establishment, partition establishment, wards' estates establishment, court of wards engineer's office, etc. These mysterious names have nothing to do with any of these items. I think the honourable member must leave it at that.

The Hon'ble Mr. S. P. O'Donnell : I must confess that I had never before heard anything about either of these tracts or the persons concerned, but fortunately the Revenue Secretary happened to have been the Deputy Commissioner of Almora and in the interval he has given me some information on the subject. This place known as Johar, is I believe, a very wild tract in the neighbourhood of Tibet. The cultivation is shifting and precarious and at the last settlement—presumably in the previous settlements also—right back to the time of Sir Henry Ramsay—the revenue was fixed upon the number of cattle people had. That was the most convenient way of making the settlement. The whole settlement was done on extremely kutcha lines suitable to a tract of that kind and up to date, I believe, there has never been any complaint, at least no complaint has reached me regarding this assessment. When there is a revision of settlement in Garhwal, then the question can again be considered, and if it is urged that the people have suffered some special misfortune during the present year or during any particular year on account of which there ought to be a revision that is a matter into which I am perfectly prepared to inquire.

As to the other point about the kutcha khaikars of Askot, I understand that the honourable member's contention is that the entries in the records are wrong. If the entries in the records are wrong, that is a matter which could be set right when the records are being revised at the periodical revision or the tenants in question might bring a civil suit. Meanwhile, I do not see either that it has anything to do with the charges of administration or that there is any special action which Government could take in the matter.

Thakur Sadho Singh : I beg to move.

The Hon'ble the President : The honourable member had better speak to Mr. Pant's motion.

Thakur Sadho Singh : I want to draw the attention of the honourable member of the Board of Revenue to certain grievances in connection with the collection of land revenue. The ways of collecting land revenue and taqavi, specially about the months of August and September are very oppressive. Numbers of cases could be found when for certain reasons the *lambardars* remain in the mahals collecting rents and co-sharers have got to pay the land revenue for them. Such *lambardars* should have been dismissed before hand. The way of issuing summonses also leads to much corruption and favouritism. It is quite unsystematic and most of the officials are at the mercy of their subordinates and all their doings are practically supported by district officers. Some of the zamindars when arrested for default in payment of revenue do not receive sufficient consideration at the hands of the tahsil staff. Sometimes they are treated like criminals. I do

not understand that any zamindar would try to run away leaving his own zamindari to escape payment of revenue so that the authorities are so anxious to treat him so oppressively. It will be noticed that very few cases of attachment of immovable property are taken up in this connection. Simply to expedite full collections within the months of August and September—simply for that reason. I know of certain cases still occurring in which people having practically no concern, have had to pay land revenue for the lambardars who were not even co-sharers and it is not infrequent that such people have had to remain in havalat also without having the warrants issued against them. I bring to your notice one other very important point. Cases of sales of ancestral lands in execution of civil court decrees are sent up to the collectors and it has been found in practice and has been admitted in official reports also, that perhaps only a nominal percentage of these ancestral estates is ever saved from auction. I seriously doubt any effectiveness of the Court of Wards even in this respect because the indebtedness of the zamindars is very wide spread and appalling and a very strong application of the Land Alienation Act alone can save them. The Court of Wards has been able to do very little in this respect. Sometimes properties are attached for payment of land revenue—these estates grow worse and worse for this treatment. The Government officers collect rents to the extent of land revenue and the rest remains unrecovered and the condition of such estates becomes worse and worse every year. I know a number of such estates of fair size which have been attached year after year and still are not taken under the Court of Wards management. Last time during the debate on the Court of Wards some members only referred to the bigger estates. I can give any number of instances from my own district in which very very old ancestral estates of fair size are on the verge of ruin and no steps have been taken to remedy their condition. One or two estates date back (if I am wrong I hope I will be corrected) date back to some three hundred years. I would suggest that instead of the present complicated machinery for collection of land revenue Government should devise some fines or something like that to enforce collections more simply, regularly and strictly—I do not say they should not be made strictly, they should be strict, but the present methods of collection are not strict, they are oppressive. I wanted to say a good deal about the collection of taqavi if I may say that under this head because that head has been transferred to famine insurance fund. This collection of taqavi—in respect of this also I do not want that money should not be collected strictly, I say it should be collected with fair strictness, and there should be even better safeguards for its easy and speedy collections in full, but the ways in which it is collected generally are made excuses for oppression and disgraceful treatment. Numerous cases have occurred in collections which would perhaps shock the House, and the officer who collects taqavi is a terror to the people. And it is for this reason that even high officials—I must say, dislike giving even sufficient amount of taqavi to the agriculturist—they are at the mercy of subordinates who themselves are at the mercy of the peons and others and these peons and patwaris generally want to make money out of it, and collecting officers are absolutely at their mercy. I know that gunfires have happened during the course of collection of taqavi and people have been very severely handled, badly hurt and many serious cases have happened. Sometimes people have

[Thakur Sadho Singh.]

suspected that deaths have happened indirectly. I do not say directly, but some people believed that even such cases had occurred on account of excesses of the taqavi staff in some places. I may say that payments of takavi could be much more easily enforced than by the present methods, and particularly in this respect I may say that joint responsibility is very very carelessly enforced and that forms the main excuse for oppression and results in greater difficulties for collection. If care is taken that this joint responsibility is enforced as equitably as possible I think many of the difficulties could be very easily avoided and moreover all men should from the very beginning of collections in that voluntary society should be made to pay something towards that joint liability. Generally speaking, these people lose a very substantial amount during the distribution of taqavi and further more during its collection, and the Government is none the better for it. They lose more than this with the most usurious moneylenders. Moreover on account of this the tenants are deprived of the benefits of taqavi more frequently when they cannot get any money from the moneylenders. This is also deplorable that district officers generally support this oppression indirectly and call such officers strong officers and in the end unnecessarily lose the good will of the masses, not really for the sake of collections, but for the methods of collection.

The Hon'ble Mr. S. P. O'Donnell: The honourable member has referred to arrears of land revenue. I have not got figures here but I believe the number of arrears is small. If, however, the honourable member brings to our notice any case in which the powers given to the tahsildar under the Land Revenue Act have been abused—any concrete cases—we will certainly inquire into them. The next point he mentioned was that many ancestral estates are sold and that very few are saved. I understand that he was referring to ancestral estates decrees against which are transferred by the civil court to the collector for execution. It is quite true that the collectors have been able to save only a very small proportion of these estates; but the difficulty is that when a decree is transferred the collector finds that the debts are much greater than the assets of the whole estate. When that is the position how can the collector save the estate? If there is any chance of saving an estate the collector does everything he can to save it; but if when a decree is transferred he finds that the value of the estate is, say Rs. 20,000 and the debts are Rs. 50,000 how can the estate be saved?

Thakur Sadho Singh: It is too late.

The Hon'ble Mr. S. P. O'Donnell: As regards attached estates, the honourable member suggested that estates which are attached for arrears of land revenue might be taken over by the Court of Wards. So far as I am aware no applications have been made by the owners of these estates to the Court of Wards. It might be difficult too for the Court of Wards to take over a number of very small estates. In any case, however, any application that made would be considered.

As regards taqavi, when immense sums of taqavi are distributed it is extremely difficult to prevent a certain amount of abuses in connection

with the distribution. For example in 1913, Mr. Fremantle tells me, in the Rohilkhand division alone taqavi loans to the extent of Rs. 50 lakhs were distributed, and distributed in a very short time. It is extremely difficult in such circumstances to ensure that the distribution is in every respect what it ought to be. But we do everything we can to minimize these abuses. When taqavi was given during the recent floods we insisted that the taqavi should be given by the sub-divisional officers themselves. We have been also endeavouring to improve the system of accounts; and the probability is that we shall substitute one set of accounts for the two sets of accounts which we now maintain. And I believe that this is a reform which will tend to prevent abuses in making recoveries and mistakes as to the liability of individuals and that it will minimize the opportunities for illegal exactions.

As to joint liability, the difficulty is that unless there is joint liability I do not see how the large sums of taqavi that are given out now can be given out. There must be some security for taqavi and nothing could be worse than that people should get the impression that taqavi will be given out and that Government will not ask for payment. The result would be to pauperize the people. That is why many years ago this system of joint liability was introduced and I think it has worked very well. On the whole, the advantages of the system of joint liability are much greater than the disadvantages. At any rate, it has enabled us to distribute sums far greater than we could otherwise have done.

Khan Bahadur Maulvi Fasih-ud-din : I wish to bring out only two points in connection with this debate. The first is that I find in my notes that the number of warrants issued for the arrest of defaulters was as much as 17,538. I have not got in my notes the number of defaulters who were actually arrested in pursuance of these 17,000 warrants, but I believe that most of these warrants were actually executed. The number, is, in my opinion, very large and my own experience is that some of the tahsildars, though not all, have used this power of theirs rather in a very indiscriminate manner and there should be some sort of curb on them.

The other point that I wish to bring out is this, that the Hon'ble the Finance Member had promised that out of the Rs. 1,19,000 of land revenue which was suspended in my own district, he would change much of this into remission if the state of the *rabi* crop was very bad. Now, I find that only about Rs. 23,000 have been reported for remission, which is too small a sum to be considered as sufficient, and considering the fact that nearly the whole of the *rabi* has been devastated in Budaun on account of frost and high westerly winds and that Budaun almost headed the districts which suffered from floods, I bring this fact to the notice of the Government that this remission is ridiculously low.

Chaudhri Badan Singh : I support the motion of Thakur Sadho Singh for the very same reason that the Maulvi Sahib has pointed out just now. During the flood debates the Hon'ble the Finance Member gave us assurance that if the *rabi* crop failed he would remit Rs. 1,19,525. My honourable friend Thakur Sadho Singh put a question yesterday and the Government replied that only Rs. 23,435 would be remitted in the Budaun district while in other districts they have remitted more. It has been proved that Budaun district has suffered the most in comparison

[Chaudhri Badan Singh.]

with the other districts in the Rohilkhand division as the following table shows :—

					Area affected.
Bareilly	..	..	..	..	287
Bijnor	..	..	..	..	100.85
Budaun	..	..	..	..	350
Moradabad	..	..	..	..	25.10
Shahjahanpur	..	..	..	..	100.7

The total area of partly affected places are as follows :—

Bareilly	..	..	..	..	487
Bijnor	..	..	..	..	165.75
Budaun	..	..	..	..	941
Moradabad	..	..	..	..	462.70
Shahjahanpur	..	..	..	..	331.73

But when we take the remission figures we find the following :—

Bareilly	..	..	..	..	32,296
Bijnor	..	..	..	..	23,004
Budaun	..	..	..	..	23,435
Moradabad	..	..	..	..	71,084
Shahjahanpur	..	..	..	..	32,295

I do not know why the Government has forgotten Budaun which has suffered so much. They have remitted only an insignificant sum. I hope Government will make an inquiry and consider the point and remit more revenue in that district. With these few words I support the motion.

The Hon'ble Mr. S. P. O'Donnell: I think my honourable friend Khan Bahadur Maulvi Fasih-ud-din is mistaken in supposing that in most of the 17,000 cases to which he referred arrests were actually made. I have not got the figures here, but I think that in general it is only in a small proportion of these cases that zamindars are actually arrested for arrears of land revenue. In any case, if any instance is brought to my notice in which there has been an abuse of the procedure laid down by law by any tahsildar, of course we shall inquire into it.

The other point is in regard to the suspension or remission of land revenue. What I wish to point out is that suspensions or remissions so far made have been based on the *kharij* crop and if as I hear is the case in the flooded areas of a number of districts the *rabi* crop is also a failure, the suspension made on the *kharij* may have to be converted into remissions. We have not refused so far a single proposal for remission or suspension of land revenue. On the contrary, we have told collectors to revise their estimates and wherever there has been not only loss of crop but also loss of houses and cattle to propose a more liberal scale than that laid down by the circulars of the Board of Revenue.

The Council will remember that during the general debate on the budget I pointed out that in consequence of the high winds and frost and the consequent deterioration of the *rabi* I thought it very unlikely that we should realize as much land revenue as we had originally estimated. What I had in view is precisely what I have now mentioned, namely, that in the flooded areas, the *rabi* had been a failure and of course we shall have to take that into account and give whatever suspensions and remissions are needed.

Pandit Hargovind Pant: If the Government promises to be better acquainted with these things I will withdraw my motion.

The Hon'ble Mr. S. P. O'Donnell: I will try to bring my information up to date on the subject.

Motion by leave withdrawn.

Mr. Mukandi Lal: At the outset I am prepared to remark that the answers that we have been getting on various occasions, to questions put, from the Government to give us some hope that the Government tenants are going to be treated in future in a better manner than even the tenants belonging to totally zamindari villages. But at the same time I cannot help pressing my claim again. Firstly, I wanted to point out to the Government in this connection that the promise was made recently that the new revenue that has been enhanced in the Tarai and Bhabar is going to be reduced by half. It was not made clear that day whether it would be reduced in the Kotdwar Bhabar—and my remarks are only confined to the Kotdwar Bhabar Government estate. The other remark that I have to make in this connection is that in Kotdwar Bhabar I have noticed that there are certain illegal practices, that is to say forced labour, or *begar*, which, to some extent is still prevailing there. I would suggest that forced labour, which is a sort of *begar*, may be abolished in the Kotdwar Bhabar estate. Another point, that I wanted to bring to the notice of the House, my friend Mr. Nemi Saran will deal with this question in detail because he has asked certain questions in connection with this; but I only want to bring to the notice of the Government that in this estate the Government has recently taken very drastic measures against a citizen of Kotdwar. There was a case recently of one Nand Kishore. He has been living for some time in Kotdwar Bhabar. He was summarily expelled from the Kotdwar estate without any rhyme or reason, without any reason being given for his expulsion. Not only that, he was holding a lease for a contract; he was a sort of a sub-contractor. He was expelled from there and still the demand was made on him to pay his part of the contract. I hope that, in future, such forcible ejections or expulsions under any pretence shall not take place. It may be that he was not a very desirable character, but there is criminal law; and the arm of the law is a very long one. He can be dealt with under the proper law.

Then the other point that I wanted to urge in this Council is, as I pointed out before, that the sanitary conditions of the Kotdwar Bhabar estate are very defective, both in the town and in the agricultural area. In the agricultural area there is no water except the canal water which by the time it reaches in the vicinity of the villages is awfully dirty and consequently there is malaria and cholera during the rainy season. That can be avoided also.

Another point is in connection of the town of Kotdwar Bhabar where if anyone walked now, he will find that it was full of dust—up to knee deep, and during the rainy season he will find as much mud as there is now dust. I would suggest that the road within the limits of town should be paved. Lastly, in this connection I would submit that the people of Kotdwar town, who used to hold a lease from the Government up to recently for 90 years or 99 years, all of a sudden, during the last four or five years, their lease has been reduced to

[Mr. Mukandi Lal.]

thirty years. I would suggest that these leases should be extended again to 99 years or 90 years, so that the people may have security, and be certain that they can hold the plots they have taken from the Government for at least 99 years or 90 years. If the Government agrees to go and see there, they will find that heaps of plots are lying vacant because of this reduction of the term of lease. Nobody ventures to take these plots for two reasons, one is that the rent has recently been enhanced, and secondly, the lease has been lowered to 30 years. If these two defects were removed, the town of Kotdwar would be prosperous. These are the observations I wanted to make in connection with the Kotdwar Bhabar estate so far as I am concerned.

Babu Nemi Saran : It seems that the Government estates and the people residing therein have been deprived of the very elementary rights of citizenship. My honourable friend, Mr. Mukandi Lal, has already forestalled me. I want to draw the attention of the Government and especially the Hon'ble the Finance Member to the case of Pandit Nand Kishore in respect of which I have received a reply the other day which I want that the Government should make more clear to me.

There is the case of a person, Pandit Nand Kishore, who has been residing in these Kotdwar Bhabar estates say for the last three years and he was not nobody there, but he was a man who took part in all sorts of activities, he was a man fairly educated, belonging to an ordinarily respectable family of my district, that is Bijnor, and he also had a contract from the Government in connection with the mills; I do not know for what reasons the man received an order from the Kham Superintendent of the estates which runs to this effect. This is what I am reading from the report of this Council of the 26th January, 1925. The order was "As you have already been ordered and again in accordance with order of Deputy Commissioner, Garhwal, you are hereby ordered to leave Bhabar Estate, Kotdwara, within three days with all your goods, in default of which necessary action will be taken against you." I may also draw the attention of this House to what the Government said on that very day and it is this, that "the orders were issued under executive authority. Actually, however, he was not in the end deported but absconded to avoid a criminal prosecution by a private individual." Sir, that is again how absurdly the Government wants to interpret its actions or the actions of its subordinates. At one place they admit that the order was issued in very clear terms that he was to leave the estate within three days, while in the same breath they say that he was actually not deported but he absconded for private reasons. I will leave the matter for the considerations of this House and I think that anyone who has the least intelligence can understand what the Government means by these contradictory statements. Sir, I put further questions—supplementary questions—on this and I was informed that no prosecution was launched against him while he was residing in the estate, but it is now contemplated that if he returns he will be prosecuted under section 110 (d) of the Criminal Procedure Code. You see what a funny thing it is: A man while residing in the estate is not run in under any section, is not given any chance to defend his position, to show cause against the order, which is passed behind his back, but when the man has gone out of it, at his

back the Government comes up with a suggestion that he should be prosecuted if he ever dares to enter the estate! I do not think it is very fair or legal that the Government should treat its subjects like that. I do not know whether there is any different law regarding the subjects who live in these estates, or it is the same Indian Penal Code which applies to other places; but any way as far as I know there is no special law applied to them, and I would really be very surprised to find how the Government is going to reconcile this state of affairs with legal opinion. Sir, in this connection I have also to say this much that if the Government insists on deporting its subjects who are undesirable without showing cause against them or without giving them an opportunity to defend their position, I do not think that the liberty, life, and property of the people living in these estates are at all safe. I think it is but meet and proper for the Government to try this man for any charges against him and to send him to jail if he is really guilty of certain offences or crime, but this order which has been passed on him should be rescinded.

The next thing I have to say in this connection is that the poor man appealed to the Commissioner in which he wrote :—

“I had to leave the estate immediately in utter unpreparedness; I then applied for one month's time to realize and collect my money and to make arrangements of my property and goods lying there, but in a week I got a reply that no time can be allowed to me.”

Here is a man who was ordered to leave the estates within three days of the receipt of order and when he applied for one month's time in order to enable him to collect his money and goods in the Estate he was denied this ordinary time and within three days he was forced to leave the estate with all bag and baggage. I think this state of affairs cannot be tolerated by any law-abiding citizen or by any one who has any love for justice. I think this Government, which makes so much of law and order, should be in a position to issue legal orders only and to state those orders when it is asked about them in this Council. I would like to hear what the Government has to say on this point.

The Hon'ble Mr. S. P. O'Donnell: I must admit that there are a number of points raised by the two honourable members who have just spoken in regard to which I must plead ignorance. There is first the case of the Kotdwara Bhabar. I see from the budget estimate that there has been some increase in the rents in that estate. So apparently there has been a revision of rents. But no complaints on the subject of this revision have reached me. I think this is the first occasion on which the matter has been mentioned. However, I will inquire from the Commissioner regarding this revision of rents.

The next point is as regards *begar*. Here, again, I was not aware that there was any *begar* in these estates but I will inquire from the Commissioner. Mr. Mukandi Lal referred to the fact that the supply of drinking-water for the Kotdwara Bhabar is not good. I am not familiar with that tract and therefore I am unable to say what the proper remedy is—whether it is possible to sink wells or whether the tract must continue to rely on canal water. This is a local matter regarding which all that I can undertake to do is to consult the local authorities. The Forest department are, I understand, just putting in a

[The Hon'ble Mr. S. P. O'Donnell.]

tube will and perhaps that will be of some assistance. As to the paving of Kotdwara, I suppose it is a question of finance. We have entered this year a good deal for improvements in the estates and possibly in another year we may be able to find funds for paving this small town.

As to the leases in Kotdwara, I am not sure whether that question was ever raised before. In other towns in the province the usual term for nazul land is thirty years which does not seem an unreasonable term.

The last point is with regard to Pandit Nand Kishore. I had never heard his name before and the questions were asked in a department of which I am not directly in charge. Of course the criminal law is exactly the same in that tract as in any other part of the province. The local authorities possess no special powers under the criminal law which are not possessed by the authorities in any other part of the province. I will however look up the papers and see what has happened and whether the action of the authorities was proper or not.

Motion by leave withdrawn.

Maulvi Muhammad Obaid-ur-Rahman Khan: I beg to move that the demand of Rs. 72,276 in respect of the item regarding permanent establishment at page 24 of the Detailed Estimates be reduced by Rs. 17,372.

If the honourable members will kindly look at page 24 of the Detailed Estimates they will find that under the head "Collection of revenue" there is a sub-head "Establishment" and then there is an item "Clerks, kanungos, and patwaris." I find that there is an increase in the number of these officials from 124 to 205. Last year Rs. 54,904 were budgeted and for the budget year the figure is Rs. 72,276. There is also an (a) which shows that this item includes Rs. 45 on account of provident fund contribution. But still there is a very large increase and I asked the Finance Secretary and the Member of the Board of Revenue to explain the figure. They however could not tell anything about this increase.

The Hon'ble Mr. S. P. O'Donnell: It will save a good deal of discussion if you will kindly permit the Financial Secretary to speak. He will be able to show that the form in which the accounts have been presented has been altered and this has given rise to a good deal of misunderstanding.

Mr. E. A. H. Blunt: I am not surprised if the honourable member was unable to understand these figures, as I myself devoted the best part of yesterday to understanding them. Last year the Council pressed that the budgets of the Government estates should be shown individually. That we have done, and the honourable members will find the budgets of the Government estates amongst their papers. To draw up these estate budgets we had to devise a form of budget, and with my usual immodesty, I claim that it is a good form. Having done that, I naturally expected that the honourable members having asked for these Detailed Estimates would base their motions on these individual estate budgets. I however find that they have preferred to go to the old main heads. Now the trouble with the main heads is this. The Accountant-General, for some reason, best known to him, insisted on showing the figures of last year in the same arrangement as last year, but in

preparing the detailed budgets of the Governments estates we have changed the arrangements entirely. The result is that in the figures as shown in the main estimates, there is a cross-classification. For instance, the figures to which the honourable member refers, viz., for clerks, kanungos, and patwaris—was Rs. 54,904 last year and this year it is Rs. 72,276, but this does not represent the same people. Last year they were clerks, kanungos; teachers, medical officers and veterinary establishment, whilst patwaris were down below with servants. Consequently part of the figure represented by Rs. 54,904 has come over to page 25. where it looks as if it is a new item. It is not so at all. The patwaris have gone up a peg and the result is that there is a big decrease in servants. I spent a good deal of yesterday in working out what the aggregate figures were. I may explain that honourable members can get these figures for themselves by using the detailed budgets, where the figures for the two years relate to the same thing. The actual effect, however, is that under establishment, clerks, kanungos, and patwaris, there has been a decrease of Rs. 5,335, which is made up of the following:—

Rs.	
1,112	Tarai and Bhabar.
2,305	Minor estates.
936	Kumaun estates.
780	Estates in Allahabad.
287	Estate in Ghazipur.

Under servants also in the same way there has been a decrease, as five servants were abolished. Under temporary clerks again, one man has been abolished. I am very sorry that all this trouble has occurred, but I cannot accept any blame for it. I did not see the figures until they had been printed. The Council will in the circumstances realize that there has been a decrease, and not an increase.

Pandit Govind Ballabh Pant: It has given me a little joy, as it must have given to you, Sir, to see the spider caught in the web. Mr. Blunt has asked us to refer to the Detailed Estimates, but the figures there also are as unreliable and enigmatic as they are in the budget. In the budget, for example, a sum of Rs. 72,276 has been provided under the head clerks, kanungos and patwaris; while in the Detailed Estimates Rs. 51,684 has been provided. Again, under the head "Establishment in the budget, Rs. 1,10,798 has been provided, while in the Detailed Estimates only Rs. 66,123 has been provided. Further, under the head "Outlay on education, medical, sanitation, etc." in the budget a sum of Rs. 8,910 has been provided, while in the Detailed Estimates only Rs. 4,224. If honourable members will turn to the budget, they will find that while last year the number of clerks, kanungos, and patwaris was 124, this year it is proposed to be 205, and as regards servants, it is intended to reduce their number from 325 to 125. Certainly some explanation was needed as to how this had come about. My own impression is that while last year the expenditure on both these items was Rs. 54,904 and Rs. 56,233, this year it is expected to be Rs. 72,276 and Rs. 20,271 respectively, so that the total expenditure has gone down from about 111 thousands to something like 92 thousand. On this point I have however no desire to say a word, but I should like to draw the attention of the Government to the fact that the clerks, kanungos, and

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patwaris in Tarai and Bhabar are supposed to work on Rs. 7/8—155 per mensem. My humble submission is that life in such an unhealthy tract of the province as Tarai and Bhabar should not be so cheap.

Mr. S. H. Fremantle: May I inform my honourable friend that the pay of a peon in Tarai and Bhabar is Rs. 10-8 per mensem.

The Hon'ble Mr. S. P. O'Donnell: There appears to have been some mistake.

Motion by leave withdrawn.

Pandit Govind Ballabh Pant: I beg to move that the demand of Rs. 10,517 in respect of the item regarding contribution to Court of Wards towards the cost of Sadr office at page 24 of the Detailed Estimates be reduced by Rs. 2,500.

I do not exactly know whether this contribution is on account of the Tarai and Bhabar estates or any other estates.

The Hon'ble Mr. S. P. O'Donnell: Not on account of the Tarai and Bhabar estates, but the Allahabad estates.

Motion by leave withdrawn.

Pandit Govind Ballabh Pant: I propose to move "that the demand of Rs. 28,936 in respect of the item regarding clerks, kanungos, and patwaris at page 24 of the Detailed Estimates be reduced by Rs. 5,000." This item consists of the expenditure for collection of revenue, rent, commission, and allowances and dues payable to headmen and padhans. I wish to make a few observations in respect of this item. I may first of all invite the attention of the members of this House to the fact that the Tarai and Bhabar estates are giving to provincial revenue a net income of Rs. 2,65,000 as is shown on page 1 of the Detailed Estimates of the Government estates. I have only to refer to a few points as to collection of revenue. The matter has been dealt with more than once in connection with the settlement and I do not want to raise it again. Before proceeding further I should like to thank the Government for taking some interest in the affairs of this estate. I do not at all want that these helpless tenants of the estates should suffer on account of any political considerations. I think that the attention of the Government has not been prominently drawn to the affairs prevailing in the estates and that is mostly the reason that they are labouring under serious disadvantages to this day. The Government cannot possibly cherish the idea that the tenants are in no worse condition than the tenants of other zamindars who, however respectable they may be, do not own as large an estate as the Government owns in this country. So far as the question of revenue is concerned, as I have just said, I would not raise larger issues again. I hope that in spite of the orders that were issued and announced the other day by the Senior Member of the Board of Revenue, it will be open to individual landholders to file appeals against the orders in ejectment cases where they are personally aggrieved in the ordinary course to show that so far as they are concerned they have not been really fairly dealt with. As to the period of settlement, I am prepared to agree to this that when the general question of settlements is taken up by this Council and the question of codification comes up, then this question too should be settled and in the meantime the period for which the present settlement

will hold good should remain in abeyance and should not be determined, for if the Government are prepared to consult the wishes of the people, I can tell them that they are generally in favour of a long period settlement and if the Government think that the matter is such that it must be considered and that it requires further looking into, than I would suggest that this should be considered at the time when the settlement question is considered. In the meantime the period of settlement should not be determined one way or the other. That, I think, is what probably the Hon'ble the Finance Member had in mind when he made a statement on this subject, but it was not very explicit.

The other point to which I wish to draw the attention of the Government is that relating to dues to headmen and *padhans*. I do not know if the Government are aware of the fact that in the Kham villages that are directly under the control of the Government the rents are collected by the *padhan* or the headman of the village who deposits them in the treasury and for that he gets only half an anna in the rupee, viz., Rs. 3-2 per cent. over the collections and he is personally responsible for the entire amount due by his village. Now, every person who is connected with estates knows that even where land revenue has to be collected it is difficult to get the entire amount in time and whoever has to collect rents from tenants knows that an allowance is ordinarily made to the extent of ten per cent. for short collections. In a place like Tarai-Bhabar, I think, it is very unlikely to expect full realization and to pay only Rs. 3-2. In fact it reacts on the administration of the villages and I can assure the Government that the headmen resort to a number of abuses in order to compensate themselves and nobody can reasonably find fault with them, for when they are paid so low naturally they try to find compensation for the deficiency in other ways and manners.

The third point I do not think it is very necessary to dwell upon, but I do wish to have a definite declaration from the Government. Looking at the estimates I find that the grazing dues which were budgeted last year at a figure of Rs. 45,500 have been put down this year at Rs. 30,500. From this I assume that the Government has reduced the grazing rates that were enhanced last year from one rupee six to Re. 1-8 and twelve annas and that they have taken off the 33 per cent. out of the total that had been increased.

The Hon'ble the Finance Member: No.

Pandit Govind Ballabh Pant: I do not know. I thought that that was a fact that there has been a reduction from Rs. 45,500 to Rs. 30,500.

The Hon'ble the Finance Member: I will explain this.

Pandit Govind Ballabh Pant: But if it is not so, then over that question I shall have to raise a debate later. I do not want to take it up just now. I had thought that there could perhaps be no room for any controversy over that. If unfortunately it is unavoidable, then I shall take it up in respect of some other item.

These are the points to which I beg to invite the attention of the Government on behalf of these tenants and I again earnestly urge the Hon'ble the Finance Member not to be in any way obstinate in the

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matter of these grazing dues. If there had been the least reasonableness about them, we would not have again and again pressed them on his attention.

Mr. S. H. Fremantle: The honourable member has said that he is grateful for what Government has done to meet the wishes of his constituents in the matter of the new settlement of revenue and rents in the Bhabar, but he has asked that there should be no bar against individual objections being considered in respect of the reduction in the rates. All the applications hitherto received which were sent on by the Commissioner to me have been returned to the district officer through him for a report and any applications which are still sent in within a reasonable time will also be considered.

Pandit Govind Ballabh Pant: Will you give special consideration to these applications irrespective of the general statement that you made?

Mr. S. H. Fremantle: Yes. I have said that every individual application has gone back for a report. As regards the term of settlement, the honourable member is a reasonable man and I think he will understand that it is impossible for the Government to fix rents for a term of thirty years and as these settlements in a few villages are based on the rents which are settled for the whole of the tract, it is obvious also that in that case settlements cannot be for a term of thirty years. It seems to me that ten years is a fair time for rents and if that is so in accordance with the system of settlement in the Tarai the term of settlement cannot be for any longer period. In the report of the Settlement Committee it was recommended that on the expiry of the term of any settlement the case of the tract where the term had expired should be considered and if there was no good reason for revising the settlement it would be extended. That is the principle which should most certainly be applied to the Tarai.

As to the payment to the *padhans* the honourable member says that they get half an anna in the rupee and it is not sufficient and that they held liable for rents which they are not able to collect. Well, I think in that case if the result of such a system is that they get no profit at the end of the year but that they work even at a loss, there can be no demand for this post of *padhan* in these villages.

Pandit Govind Ballabh Pant: I said that they resorted to a number of abuses and that in the villages they extort money from the tenants.

Mr. S. H. Fremantle: Well, I am afraid, I have not got any information on this subject, but it seems a matter which, if it is a fact, should be brought to the notice of the Deputy Commissioner or Commissioner. The system seems to me at any rate to be right enough and it would not be remedied even if the *padhan* got a larger commission on his collection.

As regards the grazing fees that is a matter to which the Hon'ble the Finance Member will reply.

The Hon'ble Mr. S. P. O'Donnell: I do not think that I can plead guilty to the charge of being obstinate on the subject of these grazing fees. The fact is that we have not come to any conclusion on the

matter. We have asked the Commissioner for a very full report regarding it. He has sent an *interim* report and has stated in this that the material is not sufficient. He is not satisfied regarding a number of figures. The Deputy Commissioner thinks that there is no case for alteration, but the Commissioner considers that a number of points require further examination. We hope to dispose of the whole question during the coming hot weather. The honourable member himself will be up in Naini Tal and I have no doubt whatever that if he would like to discuss it, I shall not be there myself, but if he cares to discuss the question with my successor, the latter will be very glad to do so. I think the Commissioner did wish to discuss this question with the honourable member.

Pandit Govind Ballabh Pant: No, I did not meet the Commissioner. He never asked me to discuss this question with him. I may have been out.

The Hon'ble Mr. S. P. O'Donnell: I think that in some report the Commissioner said that he had experienced difficulty in getting into touch with the honourable member. I am quite certain any way that the Commissioner will be quite willing to discuss the whole matter with the honourable member in Naini Tal. Anyhow we have not come to any conclusion on the point yet, but hope to do so, during the course of the next few months.

Pandit Govind Ballabh Pant: I have just to put one or two questions. One of them is this: Will the Hon'ble the Finance Member be pleased to order that in the meantime grazing dues will be realized at the original rate and not at the enhanced rate? Of course the year is not yet over—it will be over in September—so that if in the meantime you take at the rate of 66 per cent. you are not getting less than what would be due to you, but there is any amount of agitation over it and I want to avoid it if it can be avoided.

The Hon'ble Mr. S. P. O'Donnell: The Commissioner says it is too late now for the Government to reduce the rate or to revert to the old system this season. That is why we have made no change at present, but the question is one which can be discussed much better in Naini Tal than on the floor of this House. I could not, without referring to the Commissioner, give any further undertaking at the present moment. I myself do not know enough about the tract.

Pandit Govind Ballabh Pant: I wanted to put another question.

The Hon'ble the President: We cannot have this conversation across the floor—it must be settled outside.

Motion negatived.

Pandit Govind Ballabh Pant: I move, Sir, "That the demand of Rs. 39,090 in respect of the item regarding outlay on education, medical, etc., at page 25 of the Detailed Estimates be reduced by Rs. 100."

As is clear from the nature of this motion it is not with a view to securing any reduction in the amount provided, but to invite the attention of the Government to certain points that I have given notice of it. First, there are teachers entered in this list whose pay is said to range from Rs. 8 to Rs. 12. I do not know what these teachers are doing and whether this pay is sufficient for them or whether they can engage their assistants and remain away from the work themselves. I do not find anything in the Detailed Estimates more definite. I find there is also

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a veterinary establishment. I do not understand why there should be a separate establishment for this purpose. The pay ranges from Rs. 10-8 to Rs. 110. The district board has its own establishment and Government has its own. So if there is need for any veterinary work, then this amount should be given over to the district board or it could be given to the veterinary department, for after all this veterinary establishment is not under the control of any person who is directly in touch with the activities of the veterinary department and this is not a proper method of doing that work. Then there is medical and sanitary establishment consisting of one man on Rs. 35. I do not know what useful work a man like that can do. It is page 25 of the Detailed Estimates. So this amount of Rs. 420 for sanitary purposes is given there and when I come down to contingencies I see sanitation charges Rs. 4,980, so that while medical and sanitary establishment cost Rs. 420, the sanitation charges cost Rs. 4,980. It is altogether unintelligible and I could not understand what the two things meant. I am not very particular about these figures. What I want to get at is something more substantial. I think the Assistant Director of Malariology has made a malarial survey of this tract and he has submitted a report on the subject. I want to know what action Government proposes to take or has taken on that report; for it is absolutely necessary that something should be done in this respect, and at once. Those who have seen the report of the Director of Public Health for the last year must have noticed that he found generally 66 per cent. of the population with enlarged spleens and in the Gadarpur tahsil he found cent per cent. with enlarged spleens. This state of things is intolerable and Government should move in the matter without the least delay. The tract is notorious for its bad climate and any amount of money that can be spent for this purpose, for sanitation and medical relief, will be well spent. I have also to say that the contribution that is made to the district board by the estates is very small. The Naini Tal district board is spending more than Rs. 25,000 roughly in hospitals alone located in the estates and there are expenses under various other heads—we have a number of schools, and we do not get any assistance from the estates. The contribution comes to something like Rs. 17,000 from the estates altogether and that is altogether inadequate. The Government should make a much larger contribution for the district board so that it may be able to look after the interests of the estates and it should do something to remove the insanitary condition of the estates.

The Hon'ble Mr. S. P. O'Donnell: There is no doubt that this is a highly malarial tract. I looked into this question last year and into the report that we have received from the Director of Public Health, and I came to the conclusion that a mistake was made in the past in attempting to push cultivation in certain tracts which can never be anything but extraordinarily unhealthy. In my opinion there are certain areas where it is quite impossible to have anything like a healthy population. In future our intention is not to try to push cultivation in these areas but to restrict cultivation to such areas as can be made tolerably healthy. Of course the Tarai can never be made a really healthy tract. Even though we spent as much money as the United States did in Panama we could never make the Tarai really healthy. It is impossible to drain

the Tarai; it is impossible to provide every man with a mosquito-net and wire doors such as they have in Panama, and also it is impossible to stop irrigation which has a great deal to do with the incidence of malaria. If the irrigation were carried out more carefully then the incidence of malaria would, I believe, be smaller, but it is no use expecting the impossible—there is plenty of water and the cultivator does not see why he should not splash it about, with the result that mosquitoes multiply. I think the real mistake was made in the past—I went into the figures for a number of years—the real mistake was in trying to push cultivation into areas where it is impossible to have a population that is at all healthy. The report of the Director of Malariology produced nothing very tangible. My recollection is that he was inclined to cut down irrigation. Well, if you stop irrigation the only result is that you do what is known as pouring the baby out with the water in the bath—there will be no cultivation.

The other point was about contributions to the district board. As a matter of fact we do contribute Rs. 16,000 for schools and dispensaries and vaccination, and the district boards make a lot out of the pounds in the Tarai. The true principle, however, is not that the Government estates should make large contributions to the district boards but that Government should make such contributions as it can to any board whose own resources are not large. The income from these estates goes into the general fund at the disposal of the Government, just as the income from forests goes into the general fund; and from that general fund Government makes allotments to district boards. As a matter of fact, these district boards in Kumaon have not been unfairly treated. If you look into the figures you will find that about five-sixths of the expenditure comes from Government. At any rate, that is so in Garhwal and Almora. The contribution made to Naini Tal may not be as much as that made to Almora, but certainly it is a substantial contribution. At any rate, I have no reason to suppose that in the allocation of grants for education the Naini Tal district has been treated less liberally than other tracts. The general standard of education is higher in the hills than it is in many districts in the plains. It is possibly not high in the Tarai and Bhabar, because a good many of the tenants belong to primitive castes such as the Tharus and others.

Pandit Govind Ballabh Pant : What about the report on malaria?

The Hon'ble Mr. S. P. O'Donnell : My recollection is that it did not produce anything very tangible. We have, however, asked the Commissioner to discuss the question with the Director of Malariology. But the impression left on my mind is that there is really not very much to be done except to avoid areas where experience has shown that malaria must be rampant. As I said, on looking at the figures for a number of years the impression left on me was that we made a mistake in trying to extend cultivation too much. I think we ought in future to avoid places which experience has shown to be unsuitable. I do not mean to say that we should turn out the people straightaway; but gradually cultivation should be concentrated in those areas which can be made tolerably healthy. We cannot make the Tarai healthy even if we spend millions, but by concentrating cultivation in favourable areas the incidence of malaria can, I think, be reduced. I think that is all that

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can really be done. But we have asked the Commissioner to look into the question with the Director of Malariology and to see whether any minor steps can be taken.

Motion by leave withdrawn.

Chaudhri Sheoraj Singh : I beg to move that the demand of Rs. 67,717 in respect of the item regarding total outlay on improvements at page 25 of the Detailed Estimates be omitted.

Sir, at page 25 of the Detailed Estimates there is an item, "Outlay on improvements" for which Rs. 67,717 have been budgeted. I should like to have an explanation from Government.

Mr. E. A. H. Blunt : It is rather a tall order to be asked suddenly for an explanation of an expenditure of Rs. 67,717. The Detailed Estimates give general information so much for canal charges, so much for construction and repair of wells, tanks, etc., so much for clearing water-courses, so much for construction and repair of *bundhs* and other miscellaneous improvements of all kinds. The figure is an increase over that of last year. Last year the figure was Rs. 53,652, which appears at page 24 under "Supplies and Services." Last year we accepted a reduction on account of financial stringency. The increase is accounted for mainly by the item mentioned in the memorandum, viz., completion of the office and quarters of the Superintendent Garhwal, Bhabar, which is Rs. 13,000. I do not know whether there is any further information which I can give to the honourable member, in fact, I do not know what particular type of information he wants.

Chaudhri Sheoraj Singh : I withdraw the motion.

Motion by leave withdrawn.

Rai Bahadur Thakur Hanuman Singh : I beg to move that the demand of Rs. 8,910 in respect of the item regarding total establishment at page 25 of the Detailed Estimates be reduced by Re. 1. I find from the Detailed Estimates that the pay of teachers has been provided from Rs. 8 to 12. In other parts of the province the pay of teachers has been raised and I do not know what sort of teachers the Government has got to impart education in these schools for Rs. 8.

The Hon'ble the President : What is the item ?

Rai Bahadur Thakur Hanuman Singh : Top item, establishment. I have brought this motion with a view to draw the attention of the Government that the salary of these teachers should be increased, as it is done in the district board schools. Then for medical and sanitary establishment I find. . .

The Hon'ble the President : We discussed that just now on the last motion.

Mr. E. A. H. Blunt : The salary of the teachers is wrong. The figures are 10 to Rs. 25. Three on Rs. 10, 11 on Rs. 12, 3 on Rs. 17 and one on Rs. 25. That is at page 14 of the Detailed Estimate of the Dudhi estate. As I am on the subject of pay, the honourable member for Naini Tal has referred to Rs. 7-8 being a small pay for clerks. I have tracked that down to Garhwal and find that it is merely an allowance paid to a single clerk.

Rai Bahadur Thakur Hanuman Singh : I withdraw the motion.

Motion by leave withdrawn.

Maulvi Muhammad Obaid-ur-Rahman Khan : I beg to move that the demand of Rs. 28,709 in respect of the item regarding Engineering staff, supplies and services,—Original works, Buildings, at page 26 of the Detailed Estimates be reduced by Rs. 23,209. The honourable members will find in the Detailed Estimates on page 26 under original works, communications the figure for 1925-26 is Rs. 28,709. In 1924-25 it was only Rs. 5,500 under this head. In the Detailed Estimates for the Government estates they will find on page 5 the same figure under the same head. But we find on page 58 of the memorandum other items, the largest being 14, for walling the Obakalwa tract in the Kaladungi tahsil, and 19, for a similar work on the eastern side of the Chorgallia tract. Again, in appendix (i) we find the same sum. The total comes to Rs. 23,209. In this connection there is, one objection and one question. The question is why has this sum been allotted this year and who has sanctioned it, and what necessity was there for building these walls. And the objection is, really I am quite unable to understand how it was under "Communications" because I do not think these walls can come under this head in any way.

Mr. E. A. H. Blunt : I understand these walls are a common feature of the Tarai and Bhabar. They are meant to keep wild animals out from tracts which are under cultivation. That is the main object. The reason why these walls are classed as "Communications" is presumably because they are intended to prevent wild animals having any sort of communication with the crops inside them.

Maulvi Muhammad Obaid-ur-Rahman Khan : I only wanted to point out that if it had been put under Miscellaneous it would have been better. I now withdraw my motion.

Motion by leave withdrawn.

Pandit Govind Ballabh Pant : I move that the demand of Rs. 94,000 in respect of the item regarding miscellaneous at page 26 of the Detailed Estimates be reduced by Rs. 10,000.

I may say at once I am not opposed to any expenditure over the Tarai and Bhabar. In fact I know in olden years, in the days of Sir William Ramsay the practice was that not a single shell of the Tarai and Bhabar estates was contributed towards the provincial revenues. He was absolutely free to spend all the net income for such purposes as he chose and even now I say it would be proper if the Government devoted all this income to sanitary and other measures, and for the advancement of the tenantry. But leaving that larger question aside, I am at the same time satisfied that there is any amount of unnecessary and lavish expenditure going on in the Tarai and Bhabar which, if the Government will be pleased to look into, they will find, does admit of some amount of curtailment and that is the important point to which I want to invite the attention of the Government. I am personally satisfied that the Government will make a large saving if they were to look into the matter carefully. That is if one were to look into the estimates he would be at once satisfied that there is ample provision under every head, but still we have got here an allotment of Rs. 94,000 for miscellaneous purposes and on account of repairs. Miscellaneous

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repairs costing Rs. 94,000 is certainly a very large amount and I ask the Government to give us full details as to how this expenditure is incurred. In this connection I do not want to say anything more.

The Hon'ble Mr. S. P. O'Donnell : I think this Rs. 94,000 is a fixed amount which was fixed as far back as 1916, and is spent mainly on irrigation works. There are a large number of small canals in these tracts and this sum is spent on construction and repairs of irrigation channels. But I am quite prepared to look into the matter. The honourable member says that we do not require a sum of Rs. 94,000. I have no personal acquaintance with the Tarai, but I do know that we have had very competent engineers in charge, and I should be surprised to find that they are actually wasting money. But at the same time I am quite prepared to have the question, whether we do require Rs. 94,000, examined.

Motion by leave withdrawn.

Pandit Govind Ballabh Pant : I move that the demand of Rs. 8,200 in respect of the item regarding travelling allowance at page 26 of the Detailed Estimates be reduced by Rs. 2,000.

In this connection I want to invite the attention of the Government to the present method of management of these estates. This provision is made under the engineering staff. We have got one gentleman of the position of the executive engineer, who is also superintendent of the estates and his pay is shown under two heads, and his staff too. One under management and the other under "Irrigation or Engineering." Formerly we had two gentlemen; one was as the superintendent and the other as the engineer. Now we have got one man who carries on both works and who is paid an allowance, I think, of about Rs. 600 on account of management and his pay and some allowance for being executive engineer of the estate. That is too much! But that is not my main grievance. I am told by the tenants of the estates that the present system is harmful to their interests, that the engineer is not so well qualified to look after the administration of the estate and that he is generally guided by expert considerations and he attaches any amount of importance to the advice that he gets from the canal subordinates. I think the former system was better and it should not be more costly. There is no reason why there should be a single engineer to look after the canal system there; we have not got many canals and any man holding reasonable qualifications could do that work there and I think there will be no difficulty in bringing the Canal department under the control of the Irrigation department. I do not know why the service of the estate should be self-contained and why the engineer should not be connected with the other experts working in the Irrigation department. Then, I think it is desirable that the superintendent who has to manage the estate, should be a person different from the engineer altogether, for the work of management is entirely different from the work which an expert has to do in running the canals in proper order. He not only does this, but also does the work of an assistant collector which he is not certainly fit to discharge. All mutation cases come to him. I suggest that the management of the estates should be placed in charge of a revenue officer of the Provincial Service, who will not find much difficulty in going round the estates in any part of the year. It is mostly during the rains that he should be in touch with the people of

the estates and the engineer is not in a position to do that. So what I suggest—and the other day I put a question and I was told that in the interest of economy that this management had been made I may say that it is not in the interest of economy that this arrangement has been made—what I suggest to the Government is this—and I think if they are reasonable they will not find my proposal very unreasonable—this question of the estates should be considered by a committee. They should appoint that committee, of course under the presidentship of the Hon'ble the Finance Member or the gentleman who may be holding his place if he goes on leave and the Commissioner, the Deputy Commissioner or the Superintendent of that place and one or two others as members and the entire question relating to these estates may be discussed, as to the best method of managing the estates, how the estates should be developed, whether the period of settlement should be 10, or 15 or 30 years, whether the rents should be levied in the same manner as they have been, whether the tenure should be as it is proposed. There are so many questions to be discussed.

The Hon'ble the President : Does the honourable member find himself speaking about the travelling allowance?

Pandit Govind Pallabh Pant : Yes, Sir, travelling allowance covers the entire amount.

The Hon'ble the President : No. If the honourable member wishes to speak on that point he can do so on motion No. 29.

Pandit Govind Ballabh Pant : These are the points that I want to raise in connection with this motion.

Mr. E. A. H. Blunt : This allowance is the travelling allowance of forest officers. It is not the travelling allowance of engineers at all. There is an increase I admit, but that increase is due to the new forest scheme in the Dudhi Government estate.

Chaudhri Jaswant Singh : I beg to move that the demand of Rs. 8,200 in respect of the item regarding travelling allowance at page 26 of the Detailed Estimates be reduced by Rs. 500.

If the honourable members will please turn to page 26 of the Detailed Estimates they will find that the figure put down for the year 1925-26 is Rs. 8,200, whereas the figure for the year 1924-25 stands at Rs. 5,300. There is thus an increase of Rs. 1,900 in the present budget over the last year's amount. This increase is very high. I therefore move that the honourable members will support my motion.

Mr. E. A. H. Blunt : The explanation regarding this increase is given in the Detailed Estimates of this estate. I may mention for the information of the honourable member that this increase is entirely due to the new forest scheme in the Dudhi Government estate. The total increase under that item is about Rs. 1,100 which is entirely due to this cause.

Motion by leave withdrawn.

The Council then adjourned for lunch.

After the adjournment the Deputy President took the Chair.

Raja Saiyid Ahmad Ali Khan Alvi : I beg to move that the demand of Rs. 7,38,508 in respect of the item regarding survey and settlement at page 27 of the Detailed Estimates be omitted.

[Raja Saiyid Ahmad Ali Khan A.vi.]

The Hon'ble the Senior Member of the Board in opposing the other day the resolution of Khan Bahadur Maulvi Fasih-ud-din, the honourable member for Budaun, who had proposed the appointment of a committee of this House to report on the necessity or otherwise of incurring further expenditure on the land record operations, laid great stress on the fact that record operations were not meant to be a preliminary step to settlement, but were only meant to revise and correct the land records. But, as a matter of fact, the correction of records is always going on throughout the province and the records are kept up to date at the request of the zamindars or of the tenants or on the report of patwaris and kanungo, and the district staff finds no difficulty in doing this work. But a systematic revision of records on a large scale, especially in districts in which the term of the present settlement is coming to an end, can only mean that regular settlement operations are near at hand, and I am afraid that the disclaimers of officials cannot convince the public that the survey and record operations now going on in nine districts are not the first steps to a regular settlement. Indeed, the first step is survey (which, however, is not required to be done in most districts), the second is revision or correction of records and the third step is settlement. Honourable members are aware that this House has always been against putting an extra charge upon the public revenues by carrying on these operations. In February last year a resolution was unanimously passed in this Council postponing all preliminary settlement operations till the Government decided the question of extending the term of the existing settlements. Again, in March last year a motion was carried in this Council refusing the entire demand under "Survey and Settlement." And, lastly, only about three or four weeks ago, a committee of this House was appointed to inquire into the question of incurring further expenditure on record operations and the said committee has not yet met. I do not see any need for providing large expenditure in the budget for this object until we know the findings of the committee. The landlords are very much afraid that the Government will not stay its hand, and a fresh settlement will be made at the expiry of the present term, and that if an extension of term is granted it will take effect only after the fresh settlement is made. This is naturally creating some alarm among the landlords. When the Oudh Rent Act was amended, ejectments were stopped by an executive order of the Local Government, and now that the Agra Tenancy Act is going to be amended in the near future the Hon'ble the Senior Member of the Board has issued a circular letter postponing ejectments in the Agra province. In this way the legal rights of the landlords have been trespassed upon. But when the zamindars beg the Government for a considerate treatment in the matter of extending the period of settlement, no positive assurance is forthcoming from the Government. The request of the landlords is also backed by this House, but if the Government will go on ignoring it, it will, I am afraid, create a radical change in the outlook and policy of the landlords. If the wholesale revision and correction of land records could be delayed for thirty years, I do not see any reason why it cannot be delayed for some time more, unless of course the Government is bent upon making a fresh settlement at an early date. With these few words I beg the House to accept my motion.

Lala Mathura Prasad Mehrotra: I rise to support the motion which has already been moved instead of moving my own motion. The question of the extension of the terms of settlement is a very old one. It was only the other day that a Secretary to the Government came to me and wanted an explanation of some three or four motions of mine on the Land Revenue of which I had given notice. He remarked that this was an old question of mine, and I said "Yes; an old grievance, too." The matter was taken up about twelve years ago in the pre-reformed Council by my late lamented friend Lieut. Shaikh Shahid Husain, whom we so much miss and deplore on occasions like this, but no satisfactory reply was given by the Government. In the reformed Council, during the first three years, too, the question attracted the attention of some of the honourable members, but it was only last year that it was again taken up by the honourable members of this Council in right earnest. On the 28th of January, 1924, which was the first non-official day of our Council my friend Khan Bahadur Maulvi Fasih-ud-din Sahib moved two resolutions: one regarding the extension of the term of settlement and the other relating to the codification of the principles of land revenue and settlement. After a good deal of discussion on the floor of this House, the Hon'ble the Finance Member stood up and said that the matter would be considered along with the question of the amendment of the Agra Tenancy Act. Again, on 26th of February, 1924, a resolution was moved regarding the discontinuance of the settlement operations, and was adopted by the House. At the time of the presentation of the Supplementary Estimates on 4th of April last the subject was again discussed at length and the motion for the omission of the whole amount under Land Revenue—revision of records and survey—was adopted by 41 votes to 26, though it was ultimately restored by His Excellency the Governor by certification. Again, on the 15th of December, 1924, Chaudhri Badan Singh moved a resolution regarding the postponement of fresh settlement operations, and it was carried by the House. For the seventh time, however, Khan Bahadur Maulvi Fasih-ud-din Sahib moved a resolution regarding the suspension of the record operations, and that too was adopted by the Council. It will therefore appear that the matter is a burning question with this Council, and today is the eighth time that it is being discussed within a short period of fourteen months. The Government, Sir, is already aware of our views on the matter. We have no objection to the correction of records and a survey being made, but we do object to them, if they are in the nature of a preliminary step to actual settlement. We have been told the other day by the Hon'ble the Finance Member that the revision of records is very necessary, and it is yearly undertaken by the patwaris, kanungos, naib-tahsildars, tahsildars, and deputy collectors in succession. I admit that in order to obviate mistakes it is essential that strict supervision should be made, but all the same it does not seem justified by the importance of the task involved. Sir, our budget is a deficit budget, and I am inclined to think that if the Government stops the survey and the revision of records for a year or so, all the money will be saved and there will be no harm whatsoever. We have carried on our work with the records as they exist at present for a period of about thirty years, and there is no reason why in view of the financial stringency of our province we should not carry on in the same way for another one or two years. ...

[Lala Mathura Prasad Mehrotra.]

Then, Sir, we know that the Reforms Inquiry Committee has submitted its report: Whether that report is right or wrong, we will discuss it on the 1st of April. We also know that His Excellency the Viceroy is going to England for a conference and the Hon'ble the Finance Member is also going there to attend it. I think it is a very suitable time to discuss the matter threadbare and come to a conclusion about the policy of settlement in these provinces. This will not take more than four or five months and I hope that the Hon'ble the Finance Member will now take up this question very seriously and will return from England with the happy news for the landholders.

Hafiz Hidayat Husain : I do not wish to move the motion standing in my name, but I will make a few observations on the motion that has just been made by my friend the Raja Sahib of Salempur. He has given succinctly the history of the attitude of the Government towards land records and the settlement operations and I do not want to reiterate it here. I want to confine myself to one or two points. The first point to which I wish to draw the attention of the Government is that the question of land records and settlement operations and the question of the revision of the **Agra Tenancy Act** are so inseparably connected one with the other in these provinces that it is impossible to separate the question of the revision of the Tenancy law from the question of settlement and land records operations. The introduction of the **Agra Tenancy Bill** has taken such a long time that it has come to be feared that the Government is waiting for some opportunity. Since the **Agra Tenancy Bill** was published it has gone the rounds that the policy of the Government is to set up one set of the persons interested in land against the other, that is, the tenants against the zamindars, and the zamindars against the tenants. Whether this is right or it is wrong is not for me to answer, but I think it is in the interests of the Government to dispel this notion by practical proof as soon as it lies in its power to do so. Now, Sir, the zamindars feel that the Government by insisting on carrying on the settlement operations is without any doubt going against their interests. I do not say that it may not be absolutely necessary to have the records revised in some districts, but the whole question before the House is this. Are these two things, that is to say settlement operations and the revision of land records inseparably connected with one another or not? That to my mind is the issue and to this we ought to confine ourselves. It was explained to us at the last Council meeting by both the Hon'ble the Finance Member and the Hon'ble the Senior Member of the Board of Revenue, that it is not necessary that where the record operations are going on settlement must follow as a matter of course. I agree with this view; but the most surprising part of the whole situation is that these record operations have been started or are going to be started only in those districts where the settlement period has finished or is about to finish. This is the most significant point of the whole case. If the intention of the Government was not that settlement operations should follow the revision of records, undoubtedly it was not necessary that the record operations should have begun in these very districts. The fear is, and it is a legitimate fear, that these record operations precede the settlement operations that will now follow as a matter of course. If the Hon'ble the Finance Member or the Senior Member of the Board of Revenue do undertake in so many terms that the

settlement operations will not follow the record operations, then in that case I think there will not be any serious objection to the allotment of necessary funds for the revision of the records, when they are absolutely necessary. If the fear to which I have alluded is well-founded, that is, that these record operations are a mere prelude to the settlement operations then we are not prepared to grant any money. I have said before, that the zamindars do apprehend that the Government is playing the tenants against them, indeed some of them say that this is the reward which the Government is giving them for their unstinted support to the Government during the period of the Great War. Therefore I think that it is up to the Government to assuage that fear and express in unequivocal language that it is not their intention, that they do not want settlement operations to succeed record operations, but that with the finishing of the revision of records, going on where it is absolutely necessary that they should go on, no attempt will be made by the Government to begin the assessment proceedings.

[Raja Bahadur Brij Narayan Rai of Padrauna spoke in Urdu in support of the motion.]

Pandit Govind Ballabh Pant: I rise to support the proposition moved by the Raja Sahib of Salempar. It is not necessary for any one of us at this stage to go into the merits of this question or to give any elaborate history of how the situation has developed. We all know that about seven years ago the Joint Parliamentary Committee laid it down that the principles that should guide the executive officers in settlement matters should be codified. After that we know that the Reform Act was passed and about the time in 1919-20 the salaries of the superior officers were also revised. Well, it is my complaint that wherever the Government, I mean the dominant partners in the Government, are concerned, they can get things done with as quick despatch as suits their necessity and wherever the interests of the public, the general masses, the zamindars or the tenants as such are concerned and the political or personal interests of what I have called the dominant partners in the Government are not directly in issue, their matters are allowed to hang on indefinitely. What do we see? We find that after the year 1919 there have been many serious changes. The question of the reform of the constitutional structure of the Government itself is under consideration and it is likely to be revised, at least in certain particulars, if it does not come up to what we consider to be the minimum requirements of the country at the present day. We also see that the emoluments of the services that were fixed in 1920 have been revised and that retrospective effect has been given to the recommendations of the Lee Commission from April, 1924. Contrary to that we see that though seven years, seven long years, have passed away, still the principles that should govern settlement operations have not been codified. We also see that the recommendations relating to the reduction in the number of the posts of Commissioners or of other higher officers have not been given effect to. All these things go to indicate that unless and until pressure is brought to bear on this Government or those above this Government, and that pressure such as they may be compelled to feel, they are not to move as we want them to move and it is because the Government is so very immovable, so very irresponsive, so very tardy, wherever their own direct interests are not concerned that it is absolutely necessary to throw out this demand.

[Pandit Govind Ballabh Pant.]

His Excellency the Governor may, in his wisdom, consider it necessary to certify it, but every time he issues a certificate the irresponsible character of present constitution will be demonstrated and I want to get this certificate for the House as often as it is necessary to do so. The other thing is this. I am convinced that the moment the record operations come to an end, whether the law of settlement has or has not been codified by that time, settlement operations will follow on its heels. I can give you an instance from what has happened in this Council only today. There was the settlement of a few villages situated in the Government estates. When that question was raised here I was told that it affected only a few villages and therefore the general principles that had been accepted by Government that no settlement would be carried out until and unless the principles of settlement had been codified, did not apply to them. Well, I did not consider it very necessary to press the Government further in that connection, but when the question was again raised as to what would be the period of that settlement the Hon'ble the Finance Member was pleased to tell us at the time of the last budget debate that he was in favour of extending that period and that it would be considered; that he personally saw no objection to the period being extended. I have not got the copy with me, but that is my impression. I can say only this much that the Hon'ble the Finance Member told us definitely that the question would be considered when the whole question of settlement was before this House as to whether the period of the settlement in respect of those estates should be for ten years or for thirty years or more. There was a resolution brought later, and that was, I think, in the month of December last, and the Hon'ble the Finance Member was pleased to tell us that this question as to the period of settlement would go to that committee which would consider the question of settlement. If he did not say that, as I see from his appearance, I can at least say this much, that he definitely told us that when the larger question of the settlement was considered then it would be possible for him to extend the period of this settlement and give it a larger period than ten years. That much of my impression is almost certain. Well, today the Senior Member of the Board of Revenue has sprung a surprise on us and he tells us that the period of ten years is perhaps—not perhaps, it is the proper period and it is not possible to vary it. Now, I say, Sir, that relying on a certain assurance of such a responsible member as the Hon'ble the Finance Member we did not move in the matter. Even when the resolution was discussed we did not thrust it to a division because we thought it not necessary to drive matters to a further extent, but when the assurance given in respect of the settlement of these few villages within the course of that very year, there is no guarantee that the assurance given to day that the record operations will cease and that they will not be followed by settlement operations will be maintained intact, and it is because I hold that the record operations are being held only as a preliminary step to settlement operations that must allow that I consider it absolutely necessary that these operations should not be proceeded with until and unless the principles that should govern the operations of settlement have been determined—not only on that ground but that will be the one way by which this House will be able to force the hands of the Government. I also think that the Tenancy Bill is hanging up because of

the Settlement Bill. We know that cases of ejection have been postponed, we know that the month of July is close by and the period will be approaching when new suits will have to be filed again. There also the question of settlement comes in as regards the institution or the trial of the ejection suits. So in order to determine this question it is absolutely necessary that the principles of settlement should be determined and as all that the House has done so far in this connection has not apparently received any consideration, it should carry the motion which has been proposed by the Raja Sahib of Salempur. I accord my whole-hearted support to it.

The Hon'ble Mr. S. P. O'Donnell: We have had so many discussions on the subject of the revision of records that it is impossible for me, or for anyone else, to make any really fresh contribution. As I said on a previous occasion, we undertook in connection with and as part of the examination of the general agrarian problem to examine the various issues raised by the Settlement Committee. In our opinion these matters were simply aspects of a single problem, and therefore must be taken up together. We also undertook as a part of that general examination to consider and examine the arguments advanced in favour of the extension of the term of the existing settlements. We have now completed our examination of the questions connected with settlement, we have submitted our proposals to the Government of India, and we await their orders. In due course, when we have received those orders, our proposals will be published and will come before the Council. In the meantime of course it is impossible for me to say what they are. But I do regret that the suggestion has been made in the course of this debate that the object of the Government is to set the tenants against their landlords. That is a suggestion which I desire most emphatically to repudiate. There is no section of the community for whose interests we have been and are more solicitous than the landlords. I do not believe there is any fundamental or ultimate conflict of interests between the landlords and their tenants. I believe that ultimately their interests coincide. The object of any proposals regarding the tenancy law which we may bring before the Council will not be to set class against class but to find a solution which will bring stability and contentment, will do justice to the landlords as well as to the tenants, and will be in the interests of both landlords and tenants. But whatever the decision may be with regard to settlements, it is essential in our judgment that there should be these periodical revisions of records. I do not deny that revision is valuable from the point of view of the settlement officer. We have had settlements which were conducted without a revision of records and therefore there is no absolute and essential connection between the two. But I do not deny that from the point of view of the settlement officer a revision of records is valuable. Nevertheless the primary purpose of these revisions is to secure accurate records. We have had such revisions of records in the permanently settled districts of these provinces and in neighbouring provinces where there are permanent settlements the records are periodically revised. It is true that in these provinces the records are annually tested. During the last two years we have been doing what we could to secure that the testing is more thorough than it used to be and our efforts, I am glad to say, have not been entirely unsuccessful. But it is hopeless to expect that by means of this annual testing alone accurate records will be secured. I gave the

[The Hon'ble Mr. S. P. O'Donnell.]

Council the last time we debated this question certain figures which amply bear out that statement. I showed that in the eight districts which were recently settled something like 1,50,000 disputed record cases had to be decided. I think these figures show quite clearly that during the course of thirty years the records become seriously defective and unreliable. And the only way to check this process of deterioration is to have periodical revisions. I cannot imagine anything which is more to the advantage of the landlords and the tenants than that the records should be reliable. It is the record prepared at each periodical revision which prevents an immense amount of ruinous litigation.

As regards the question of the 85 zamindari villages in Tarai and Bhabar, of which we have heard so often, I undertook apparently that we would examine this question in connection with the general issue. I think we shall have to treat it as a separate question, but, as I said, I am quite prepared to examine it. When I spoke on this subject originally I knew less about it than I have since learnt; and, as pointed out by Mr. Fremantle, there are difficulties in having a 30-year settlement in those villages. But certainly we have no desire to resile from the undertaking given in regard to this matter and we are quite prepared to go into the whole question.

Khan Bahadur Maulvi Fasih-ud-din: I have got a similar motion on this subject, but I am now speaking on the motion of my honourable friend the Raja Sahib of Salempur. An oft-repeated story is naturally apt to become stale and sometimes disgusting, but the story of our grievances in connection with the question of settlements is always fresh and never fails to attract the attention that it deserves, for the simple reason that this story is connected with the question of the life and death of the landed and agricultural classes in this country who, as I have said over and over again, form the backbone, the vital nerve, of the Indian people. The repetition of this story, Sir, has been necessitated by the untenable position which the Government has taken up as regards this question of settlement. The contention of the absence of any connection between the operations of survey and land records and the operations of land revenue assessment may form a good subject for a chapter in the second volume of the Arabian Nights, but it cannot certainly appeal to those who have got a head on their shoulders and who know what is what. The main question in this connection seems to have been involved in mist, as it were, by the argument that the survey and record operations are not necessarily connected with the operations of the assessment of land revenue. The question before us is not whether the one operation is a *sine qua non* of the other operation or *vice versa*. The question before us at present is whether the operations of records and surveys which have been carried on in eight districts of these provinces have been commenced with the idea of doing actual settlement work in those districts. That is the question which is now before us and we have to solve this question today once and for all. The fact that these operations have been commenced on the basis of the reports of the Deputy Director of Land Records, which foreshadowed so much large increase in land revenue of the various districts very clearly shows that the Government undertook these operations not for the sake merely of correcting records but

for the sake of gaining those large increases which have been foreshadowed in those reports.

Again, it is very curious that the records should get so intolerably bad only in those eight districts in which the term of settlement has come to an end. For this reason, I think, that the arguments that have been advanced have been rather childish, and they are not worth the paper on which they are to be written. The most convenient, the most effective, the most direct method of disproving the contention of the party is to quote from its own confession. On this occasion I am going to do so. I find that the cost of the survey and land record operations is debited to the head of survey and settlement. There is a separate account for the cost of land records in this very budget. If it were the fact that this cost is demanded only for the purpose of correcting the records then the most convenient and most suitable place for this expenditure would have been the head of land revenue and not the head of survey and settlement. There is no mention of records in this particular head. Anyone might say that this is only a question of classification, this is only a question of arranging the figures under particular heads. But I will show further on that this is not so, at least in this particular case. I find from the memorandum of the Hon'ble the Finance Secretary at page 17 that he explains the increase of Rs. 17,000 in the year 1922-23 by saying that this represents the cost of the extension of settlement—mark the word settlement. He does not say the extension of record operations.

Mr. S. H. Fremantle: That relates to the case of Gorakhpur and Basti which were settled about ten years ago on the progressive revenue and the second progression has now been reached.

Khan Bahadur Maulvi Fasih-ud-din: Thank you very much. But I will also meet this reply. Further on, in the same page, he says that this increase is due to the extension of settlement operations in four more districts. Does it also refer to Gorakhpur?

The Hon'ble Mr. S. P. O'Donnell: It refers to records.

Khan Bahadur Maulvi Fasih-ud-din: He says settlements.

The Hon'ble Mr. S. P. O'Donnell: It is a mistake.

Khan Bahadur Maulvi Fasih-ud-din: If it is a mistake . . .

Mr. S. H. Fremantle: If the honourable member wishes to suggest that there are any settlement operations going on at present except those in Naini Tal I would like to say he is entirely mistaken.

Khan Bahadur Maulvi Fasih-ud-din: I say, Sir, and say it with great emphasis that these operations of land records are settlement operations and they are nothing else than settlement operations. That is the point which I want to press before this honourable House. That is the point which has been elucidated from the writing of the Hon'ble the Finance Secretary himself. It has been so often said that official memory is very short and this is a very signal example of the shortness of that memory. The other day the Hon'ble the Senior Member of the Board of Revenue objected to my resolution by saying that no settlement operations were going on in the province. He said so even now. How can he overlook this very writing which we find not in one place but in two places and the grouping of this expenditure not under the

[Khan Bahadur Maulvi Fasih ud-din.]

head of land records but under the head of settlement and survey. It is for the two members of the Indian Civil Service to decide between themselves as to which of them is right. However, I submit that the revision of the land revenue assessments, and I have submitted this often and often, not only hits the landed classes but it hits the tenants to a greater degree; for the simple reason that during the time of the settlement the rents of the cultivating classes are increased indiscriminately by the automatic expansion of circle rates on all the holdings in a village and for that reason a tenant is naturally in greater horror of the settlement than even the zamindar. Sir, who can deny that the majority of the zamindars in these provinces, who pay land revenue of less than Rs. 100 and who form about 86 per cent. of the total number of zamindars, live in a state of utter penury, complete poverty and almost in a state of starvation. They live from hand-to-mouth and they get only one meal in a day and that too of the coarsest kind. Who can gainsay the fact that the tenants in this country are in a state of miserable poverty and that even if you lash them to death you will not be able to find even Rs. 5 on their person. When that is the state of affairs, I think it is a great mistake on the part of the Government not to announce its policy at once. It is said that this is not the time for the announcement of the policy because there are so many questions which are pending before the Government. The question of tenancy legislation and the question of the recommendations made by the Settlement Committee. If that is so, then why not stop these record operations? If we have to wait for any definite period of time, why not put spirit, why not put heart into us by stopping these operations and telling us candidly that as the question is to be indefinitely postponed, we are postponing these record operations? Who wants these record operations? Surely not the zamindars, surely not the tenants. I remember the story of a certain boy who was fishing in a pond on a Sunday and a clergyman passed by that pond and he accosted him. He said:—"Are you catching fish on Sunday." The boy very angrily replied. No, Sir, I have not been able to catch any fish. I am not catching fish." So, why these record operations? It is not the zamindar, it is not the tenant, who is catching fish, it is the Government which is catching all the fish.

Rai Bahadur Babu Vikramajit Singh: As a member of this House who does not possess any zamindari in these provinces, I think I can speak on this subject without any bias. After hearing, Sir, the mover of this resolution and other honourable members who have spoken and also the Hon'ble Finance Member, I have no hesitation in supporting the motion before the House. I think the Government ought to make up their mind and understand, if they have not so far understood, that the land is really over-taxed, it is over-burdened, and they should make no attempt to put any further burden on the land. As a member of the legal profession I know the internal affairs of most of the zamindars who come in contact with me. As a matter of fact, I know their *katcha chitha*, and I say without fear of contradiction by anyone who understands the position of a large majority of zamindars, that they are in a very bad position and it will be really disastrous if their lands were any further taxed. I am also connected with certain trusts which possess endowments in the shape of zamindari villages, and our committees have always thought that if we had the power to convert that

land into war bonds or to put them in a fixed deposit we would be able to get a much better return. As a matter of fact the return which the land gives is not more than 3 or 4 per cent. to any zamindar and to consider that in 30 years the land will again improve and will be able to yield better results, I think, is not really just. The land is not in a position to give any better return after every thirty years and the result is that the zamindars and the tenants get impoverished day after day when a higher burden is placed on the land. Therefore, it must be understood once for all that the land should not be any further taxed, whether it is after 30 years or after a longer term. I think the Committee recommended that it should be 50 years. Even then I think it may not be in many cases fair to the zamindar because you do not find always land improving, in many cases the land deteriorates, the land does not yield or give the same result as it would give when it is new and also you give the zamindars and the tenants no incentive to improve the land when you are determined to take away all the advantage he has gained within a certain period by improving the condition of the land. So that I think the non-official members of this House will be agreed on this point that there is very little room for putting extra burden on the land. The only question now to consider is whether the record operations ought to be allowed to continue, as it is said that these record operations are not the same as the settlement operations. There I join issue very strongly. I think these record operations and the settlement operations are so intimately connected with each other so as to call them cause and effect, and therefore wherever they have record operations, as a result they hold the settlement and always increase the revenue. Now, Sir, if it is necessary to correct the records, I do not see why the permanent staff of the district should not be able to do it. In the districts we have always got the Collector and the Deputy Collectors and Assistant Collectors, both paid and also honorary, why should they not be in a position to keep their records correctly? I think this is merely a sort of pretext to have the settlement operations and not that they really want to have the records corrected. The records can always be corrected by the permanent staff, as it is there in every district. Therefore, I think this demand ought not to be voted by the House. Last year too, we rejected this demand, but unfortunately it was restored by certification and we again as a matter of strong protest say that this demand should not have been restored and I hope that this will be rejected again by the House and that this time the Government will be well-advised not to restore it by means of certification.

Maulvi Muhammad Obaid ur-Rahman Khan : As the honourable members know I have already a motion quite the same as the one before the House, but as the Honourable Raja Sahib has anticipated me, there is no course left to me but to associate myself in support. Therefore, with your permission, I want to begin my speech with one couplet and it is this—

درا خیال رہے ان دنوں غریبوں کا * جہازِ قرب نہ جائے ستہ نصیبوں کا

Sir, as has been said by my friend Rai Bahadur Vikramajit Singh there are many zamindars who are living and those only who know them how they are living in these days when they are becoming poorer and poorer every day. The Government thinks that they are getting very much profit out of their zamindari, but I can assure the Government

[Maulvi Muhammad Obaid-ur-Rahman Khan,]

that that is not the case. They are in very great difficulties and it is very difficult for them to live according to their status. They are required to live quite decently, but their circumstances do not allow this being done. In support of my arguments I can say that it will be found on statistics that many zamindars are losing their property every year, every month, nay, every day. May I remind the Hon'ble the Finance Member that these are his words which have put us in a great doubt and upon their foundation I can say that the revision of records is meant for settlement. He said on 17th March, 1924 :—

“ But this proposal, that the term of the existing settlements should be extended, is one which, as I said before, undoubtedly involves great difficulties.”

This shows that he is not in favour of the present settlement term being extended, even if the Council decided that it should be extended. What we wanted was that if this principle of extension be once accepted we should be given an extension even in the present term. Therefore we are opposing the sum which is put for the revision of records. As was said last year (when this very item was brought before the Council as a supplementary estimate) by Khan Bahadur Hakim Mahbub Ali Khan, when the time comes for expenses the Government will say: “ We have spent so much sum and therefore it would not be wise on our part to stop the settlement operations. We have completed one part of the operations and it is essential that the other part ought to be completed ”.

کند نادان آنچه کند دانا لیکن بعد از پشیمانی بسیار

Therefore I would ask the Government to issue instructions to the officers concerned to give up these operations and to spend no more money in revising records. As has already been stated by Khan Bahadur Maulvi Fasih-ud-din, neither the zamindars nor the tenants are demanding it. I would ask, then, what is the necessity of revising these records? I say that we should give it up at this stage, and I hope the House will reject the demand unanimously by voting for the motion under discussion, because it is a very reasonable and moderate demand of the zamindars, and even His Excellency the Governor will not certify this item.

Mr. Mukandi Lal: You will find, Sir, that there is a motion No. 41 standing in my name, but instead of moving my own motion I would like to support the motion that is already before the House. Of course the reasons for which I have given notice of my amendment are apparent from the nature of the motion which is more or less a token one and of a formal nature.

I would like to discuss the settlement operations that are going on in my district of Garhwal. As that district also is covered by the new settlement operations, I think this is the best time for me to discuss the settlement question. It has been remarked by some that for the settlement there is a sort of alliance—a holy alliance—some people even say that it is an unholy alliance—between the progressives and swarajists, between the transferred half of the Government and the swarajists. If we push this motion to a division, you will find that all the members of this House, except the Government members of the reserved half,

will vote in the same lobby. The settlement question so far as my district is concerned is a very very old one, and I want to make particular observations on the settlement history of my district. The first settlement was made in 1815 and that was only a temporary arrangement arrived at by Mr. Trail by local arrangement. That was one arrangement, but soon after another settlement was made carried on by Mr. Trail which is called the Sal Assi settlement. This settlement conferred on the people of my district certain rights. These rights were given by Mr. Trail and can be found in the Government document on the subject. I quote from the Gazetteer for Garhwal to show what rights were allowed by Mr. Trail—"But in 1880 Samvat Mr. Trail made a great measurement of all land of every description in the district fixing nominal boundaries for all villages and including inside the boundaries cultivated land, forest and waste: though he affirmed the principle of the State's sole right in uncultivated land. These are called the assi sal boundaries, but are supposed to have existed from time immemorial. They represent approximately the area over which the village with the acquiescence of the State exercises its rights of pasture and wood cutting."

It has been suggested by the Kumaun officials that assi sal boundaries are nothing. Now that the settlement operations are going on in my district I want a clear statement by the Government on this point, and confirmation of assi sal boundary.

The next point is whether there is room for enhancement in my district. Originally when the British came into my district they took as land revenue only Rs. 1,016. Before that the Raja of Garhwal took Rs. 7,000 and the usurpers the Gurkhas took Rs. 4,700 land revenue. But now the land revenue according to the new assessments including new extension is approximately about two lakhs. I may here point out how the land revenue has increased bit by bit. In the settlement of 1821 the land revenue increased to Rs. 54,399, in 1862 it came to the figure of Rs. 1,09,009 and in the settlement of 1896 it rose to Rs. 1,65,727. That is to say, the land revenue has increased four times since 1821 in 100 years. I therefore, think, that there is no room for further increase.

Another point in this connection is whether there is any necessity of carrying on a settlement. The last settlement which was completed in 1896 cost Government about 5½ lakhs and there was an enhancement of Rs. 50,000. That is also a point worth considering whether we are justified in throwing good money after bad, i.e., when there is likely to be an increase of Rs. 50,000 only even if increment be 25 per cent. and the cost of operations is likely to be Rs. 5,50,000. Further, I beg to say, that last time there was a complete and thorough settlement of my district, except in a few pattis in upper Garhwal. Now I want to know whether the operations that have been started in Garhwal are settlement operations proper or whether the Government is revising and correcting the records only. The next question is whether the Government has outlined any policy with regard to enhancement and whether it has fixed any scale according to which enhancement will be made. Another point which I should like to urge on the Government is whether they consider it worth their while to attach the Kotdwar Kham estates, which consist of 67 small hamlets and which yield a very small revenue of Rs. 35,556, to Garhwal.

[Mr. Mukandi Lal.]

proper and to make them part and parcel of the Garhwal land system. There is another question, regarding the rights of the tenants of Garhwal who are called Sirtans. I would suggest to the Government to make these Sirtans, who have been in occupation of their holdings for the last thirty years, permanent tenants, so that the landlords may not be able to turn them out. There is a further point, which the Government will have to meet, and this is with regard to the litigation that goes on between the hisselars and the pukhta and kachcha khaikars. I believe that if a classified exclusive list is prepared of such khaikars, litigation will come to an end.

Several honourable members moved for the closure of the debate, and the Deputy President accepted it.

Motion agreed to.

Chaudhri Badan Singh : I move that the demand of Rs. 62,60,100 in respect of the item regarding total land records (voted) at page 21 of the Detailed Estimates be omitted.

Everybody in this House knows that we have defeated the Government right and left on this question, though in the end we were routed by the power of certification which is exercised by His Excellency the Governor. On this occasion, however, the Hon'ble the Finance Member made a very non-committal reply and gave us no assurance, and so I propose to move a vote of censure on the Government as they have continued the record operations in the teeth of opposition of this House.

The Hon'ble Mr. S. P. O'Donnell : May I point out to my honourable friend that the present motion has nothing whatever to do with the revision of records, which has just been disposed of.

The Deputy President : Does the honourable member wish to withdraw the motion ?

Chaudhri Badan Singh : No.

Thakur Sadho Singh : I beg to move that the demand of Rs. 62,60,100 in respect of the item regarding land records at page 21 of the Detailed Estimates be reduced by Rs. 1,000.

The object of my motion is to draw the attention of the House to certain glaring defects which prevail in the Land Records department even in recording necessary details of rights of agriculturists. Of late, disputes in villages among the agriculturists over the boundaries of their fields have considerably increased, and the cost of demarcation suits has become almost prohibitive. In the old settlement the length and breadth of plots were precisely given, but this has been omitted in the papers of current settlement and area alone is recorded for survey purposes. This in its turn has given rise to a very large number of disputes most of which do not reach the courts. Aggressive men are thus encouraged to trespass on adjacent plots with impunity without fear of prosecution. This defect should be remedied in public interest and will not be at all costly.

The other point is that most patwaris in villages have become a petty menace and rather a nuisance. I challenge any member of this House who is a zamindar to come forward and dare to speak against these patwaris. The tenants are suffering from this scourge very seriously. Although a

rule has been made that these patwaris can be transferred under certain circumstances but this rule is always observed rather in the breach than in practice. The conditions under which the transfers of these patwaris can be made are simply impossible, I may say impracticable. Zamindars have only to forego their supposed right which of approval on? they totally lose soon after the selection of this patwari and it will be much better in the interests of public tranquility and for the welfare of zamindars and tenants that these patwaris should be transferred every five years unless in special cases zamindars or tenants find it to their own benefit to keep them on. Some of the patwaris requested me particularly to move for their periodical transfer, as they were suffering serious disadvantages in times of ill-will in their circles, and from unequal opportunities in respect of merit and work, etc. Though this is the complaint of agriculturists generally, even members of this Council if ever they dare to speak against the combination of the patwaris, will hardly have any chance of re-election. I submit and I submit it very very emphatically that none of the honourable members who are suffering dare to speak against them. In many elections these patwaris have influenced very materially and very substantially. Some gentlemen in the last Council were elected through their agency largely. Because these patwaris have a life tenure for their office their influence in hisadari villages is very very great. In some places they are oracles of villages and once they get at some tenant or zamindar they can plunge him into never-ending ruinous litigation or serious dispute. Those who are themselves zamindars or tenants know to what extent they suffer on account of these patwaris. My honourable friend Kunwar Jagdish Prasad and his uncle find themselves always helpless against these patwaris and have to pay them a handsome tribute. All the officials who are zamindars have also got to pay some tribute to them. It is these people who virtually direct the distribution of taqavi in practice. I have had a very sad experience of the power they hold in the distribution of taqavi. They can apportion to themselves a very substantial percentage, some 10 per cent. or so of taqavi granted to villagers. They can do so with impunity. No officer can check them nor many dare to stop them. None of them can prevent them from doing so. These people make estimates of crops. My honourable friend Chaudhri Badan Singh from Budaun explained to some extent the nature of damages to crops in his district from floods, and he could not show that in Shahjahanpur the area affected by the floods was much smaller than in Budaun, and it was for certain reasons that in Shahjahanpur we could secure better suspensions and remissions of revenue. Really it was the result of the estimates made by these patwaris that although the seriously affected area in Budaun district was reported to be far greater, still Budaun could not get even as much remission as Shahjahanpur. I was on the spot; I influenced this matter to a certain extent, and I had to face much displeasure.

There is another point relating to the estimates of crops. . . .

[At this stage the Hon'ble the President resumed the chair] Zamindars and tenants never know what serious difficulties result from these estimates. These estimates of produce are always exaggerated and those of losses are seriously underestimated: that is a general rule. Every candid officer will support me. It is really very difficult to remedy this defect unless a fair opportunity is allowed to agriculturists

[Thakur Sadho Singh.]

to questions these estimates. I would suggest that in riverside villages the attention of the district authorities should be seriously drawn to the fact that they should change and reduce the amount of existing demands of *kharif* revenue and rent to suit local conditions and increase *rabi* instalments instead. Something like this is done in some places but it is necessary to be done for all riverside villages, because proper suspensions and remissions of rent are very difficult to secure and ordinarily they prove even of doubtful benefit to the tenants. This will save much worry to the officials too. Members of district board should also send crop estimates.

The next point is about the diseases of cattle. That is a very minor point but I may draw the attention of the officers to the fact that the report of the diseases of cattle reaches the district headquarters generally, after much delay, after it is too late when the epidemic itself has died in the locality. Hardly any veterinary sub-assistant surgeon goes there in times if at all. They go and return without doing anything because they have not cared to popularize their treatment. That is all I wanted to say.

Mr. S. H. Fremantle: A small point was mentioned by the honourable member in the beginning of his speech about the way in which the survey is conducted in the present revision of records. He said that now the length and breadth of fields are not shown. I inquired about this from my friend, the Deputy Director, who is an expert in these matters and he says that in modern and scientific surveys the length and breadth of fields are never recorded. This was done in former days when surveys were not so elaborate and so accurate as they are at present.

Then he had a long story to tell us about the malpractices of patwaris. Well, every member of the House knows a good deal about them and many can talk about them with much greater authority than I can. It is no use my following the honourable member into the various points that he mentioned. He seemed to think that the remedy was in many cases the transfer of the patwari. Well, Government introduced some years ago an amendment into the Land Revenue Act to provide that patwaris could be transferred under certain circumstances. The difficulty of course is that the patwari is nominated by the zamindar and in case of transfers it is very difficult indeed to get the zamindar of the village to which the patwari goes and the zamindar of the village from which the other patwari comes or both together to agree to the transfer and if it is to be done at all, it would often be done against the wishes of the zamindars, which is not at all desirable. The real remedy for these malpractices is of course as honourable members, specially on the other side, very well know, higher education and a greater sense of self-respect in the public which have to deal with the patwari. He cannot take advantage of educated men in the same manner as he does when they are not educated. The honourable member quoted my friend, the Education Secretary, as one who had suffered at the hands of the patwari. I have no knowledge of that, but I do not think it was really likely that he had suffered any very considerable inconvenience himself. I know quite well that when officers of Government have to look after estates, they have not got to present *dalis* or *nazars* to the patwari in order to keep him *razi*, and I really do not know why any man in good position

should be afraid of the patwari. Any way, the remedy most certainly is, as I said, greater spread of education and therefore of self-respect among the rural population.

Lala Mathura Prasad Mehrotra : I beg to move that the demand of Rs. 48,33,228 in respect of the item regarding patwaris and assistant land records 5—Land Revenue, at page 23 of the Detailed Estimates be reduced by Rs. 100.

By this reduction I want to bring to the notice of the Government one great grievance of ours and that is the transfer of patwaris.

The Hon'ble the President : The honourable member was not listening to the debate. We have been discussing this transfer of patwaris.

Lala Mathura Prasad Mehrotra : May I have my submission upon the same subject?

The Hon'ble the President : Is there nothing else which the honourable member wishes to speak about under his motion?

Lala Mathura Prasad Mehrotra : I have to say something of my own upon the same subject.

The Hon'ble the President : The honourable member had better withdraw his motion altogether and speak to the motion before the Council.

Lala Mathura Prasad Mehrotra : I withdraw my motion and shall speak upon the motion before the House.

It was on the 10th September, 1924, that I put two questions to the Hon'ble the Finance Member about the transfer of patwaris. I will read the questions and the answers to this House:—

“Is it a fact that the patwaris are not as a rule transferred from their circles? If so, will the Government be pleased to transfer them from one circle to another after every five years?”

The answer to the first part was “Yes” and to the second part it ran as follows:—

“Government considers that this would be a very undesirable innovation and would defeat the policy underlying section 24 of the Land Revenue Act.”

Then, Sir, I put another supplementary question “Is the Government aware that they are giving a lot of trouble to zamindars and tenants?” The answer was that “I am not aware that they are doing so. Continual transfers of patwaris would not be desired by the zamindars.” Sir, this is not the fact. The practice nowadays is that patwaris are not transferred at all, and the result is that they build houses in those villages and secure the best pieces of lands for their own cultivation and they wield a great and undesirable influence upon zamindars as well as tenants. If they are transferred after five years, or any period determined by the Government, I consider they will not think themselves to be permanent residents of the place and hence will not give so much trouble to both tenants and zamindars. Sir, in all the departments we have got transfers but here in the case of patwaris I do not see any reason why they are not being transferred, and so I submit to the Government that it is now high time for changing or amending

[Lala Mathura Prasad Mehrotra.]

this section and getting transfers after some fixed time if it is not desired otherwise by the zamindars of the place.

The Hon'ble the President: We have a similar motion in the name of Hafiz Hidayat Husain—(Not present).

The Hon'ble Mr. S. P. O'Donnell: As regards the transfers of patwaris, as the Council knows patwaris are appointed on the nomination of the landlords and the difficulty about transferring them constantly has always been that if they were transferred, they would not be the persons who had been nominated by the landlords of the village in which they were serving. A particular man is nominated to be a patwari of a certain village and he is appointed. If he is afterwards transferred and another man comes in the result is that in the two villages concerned the patwaris are not the persons who have been nominated by the landlords. That has been the main difficulty about transfers of patwaris. At the same time the law was amended not long ago to admit of transfers being carried out and I am quite prepared to consider the question whether we could not in practice transfer patwaris more freely than is done at present. We have always supposed that transfers were not desired by the landlords themselves. Also there has been the idea that the post of patwari is hereditary, and that also was hardly consistent with the idea of frequent transfers. At the same time the law has been amended and I cannot commit the Government, I can undertake to consider whether more frequent transfers are required.

Both motions negatived.

Rai Bahadur Babu Shankar Dayal: I move the motion standing against my name which runs—"That the demand of Rs. 27,600 in respect of the item regarding salaries of deputy director and assistants at page 28 of the Detailed Estimates be reduced by Re. 1.

Now, Sir, I move this motion not that the post of the deputy director be abolished but my chief object is to show certain defects in the department and its working and request the Government to remedy it. Now, Sir, in my humble opinion the deputy director, his assistant and other assistants such as kanungos, inspectors, they do no work. The deputy director is also assisted by the naib tahsildar, the tahsildar, the subdivision officer and the Deputy Commissioner or Collector. These gentlemen also practically do not supervise the land records. Now, Sir, if the deputy director and his subordinates were to keep and maintain correct records then at that time it would not necessitate the overhauling of the whole land records which takes place at every 30 years. Sir, the Government has to spend about 1,15,000 to pay the deputy director and his assistants and special land records officers. Now, Sir, if this post is abolished then at that time Government will be saving a good deal. I would suggest a scheme how to spend this money. Now, Sir it is a known fact that the patwaris prepared records every year. These patwaris of course enter the names of the deceased persons for years and years and no officer takes notice of this. Although the patwari lives in the village and has special means of knowledge, but at the same time, mischievous as he is, he will try to cause litigation between the landlords and tenants and so forth. The chief person who has to supervise his work is the kanungo. Now,

Sir, this man is lowly paid. There are only three grades— 60, 70 and 80 rupees. At first, Sir, certain nominations were made from this class for naib tahsildarship but since four or five years this door has also been closed to them. As a matter of fact a kanungo has to start as a kanungo and retire as a kanungo.

The Hon'ble the President : We will consider kanungos later.

Rai Bahadur Babu Shankar Dayal : No, Sir, I am just rather enforcing my argument why this department should not be maintained.

Now, Sir, if this saving of Rs. 1,15,000 were to be spent in increasing the pay of kanungos and also appointing inspectors for each district then at that time I think no such mistakes in the land records could take place. The inspector is the chief person who can inspect the land records of his district. At present, Sir, an inspector is placed in charge of some 7 or 8 districts and it is unlikely that he can supervise the land records of 7 or 8 districts ; I think once or it may be after three years an inspector goes to a district, remains there for a month or so and during that time I do not think he has sufficient time to inspect the land records of the whole district. The Deputy Director also after two or three years inspects a district, he remains there for a day or so busy in correspondence and leaves the district without making any investigation as to the land records. My submission is this that if my scheme, namely, the appointment of an inspector for each district, is to be given effect to, then that will be rather a stimulus for the subordinates and kanungos to work properly ; they will get promotion as inspectors ; they will get increases in their pay and no such anomaly or mistake can take place in the revision of land records by patwaris. I know it as a matter of fact that the policy of the Government has been to lay hands upon posts such as the Deputy Directors and other high persons. In other words the Government is *amir parwar* and not *gharib parwar*. It is a known fact that the post of sadr kanungo has been abolished. Now the question before the Government is whether it is advisable to maintain the post of Deputy Director and his assistants who practically do no work and to appoint inspectors and to increase the pay of the kanungos who can supervise the work of these wretched patwaris. It may be said that the Deputy Director has to discharge a very important duty, namely to prepare forecasts for a district which may be brought under settlement. Now these forecasts can be prepared by the Deputy Commissioner or the Collector of a district, who knows his district better than any Deputy Director. It may also be said that the Deputy Director is also the Inspector-General of Registration. My reply is this, that the District Judge *ex officio* is the District Registrar of his division and he is the proper person to scrutinize and supervise the work of the sub-registrars of his division. So, in any case, I submit, that this post of Deputy Director is not required and my submission is that the Government will see how to spend the money which will be saved by abolishing this post.

The Hon'ble Mr. S. P. O'Donnell : I am sorry that the honourable member should have said that the Deputy Director of Land Records did no work. I do not know upon what information he based that statement, but in any case in my opinion he is entirely mistaken. The present Deputy Director of Land Records, Mr. Brij Lal, is extremely capable and a very hard-working officer.

Rai Bahadur Babu Shankar Dayal : My comment is not directed against the present incumbent, but any person holding that post.

[The Hon'ble Mr. S. P. O'Donnell.]

The Hon'ble Mr. S. P. O'Donnell : Nor can I agree with the honourable member that the abolition of the post would be in the interest of the department. I understand his scheme is that we should have inspectors appointed in every district; he has omitted to mention who is to exercise supervision over these inspectors.

If we have an inspector in every district there must be some supervision of real control over their work. I do not know why the honourable member supposes that the kanungos do no work. If he looks at the last report on the Administration of Land Records, he will find that a very great deal of work is done by the kanungos. If he will, for example, turn to paragraph 14 he will find that last year the supervisor kanungos in practically every test exceeded the prescribed standard of work. I do not say that the kanungos are perfect, I do not say that the land records are perfect. Still that is very different from saying that kanungos are of no use and that the only remedy is to abolish these posts. The inspectors are not in charge of a large number of districts; they are sent to any district in which they are particularly required at the time. I admit, of course, that if we spent large additional sums of money we could improve the records, but our resources are limited and all that we can do is to utilize them to the best advantage. And one of the things that we have done recently is to insist on more testing by superior officers—that is to say the sub-divisional officers and the tahsildars—and I am glad to say that there has been a substantial improvement in that respect. The Deputy Director says there has been a very encouraging and commendable increase in the amount of inspection of land records done by the officers on the headquarters staff in the case of all the records except maps. Barring the number of maps tested there was an all-round improvement in the test of other records and the improvement was so widespread as to be regarded almost general.

So that we are doing all we can to improve the records.

Motion negatived.

Rai Bahadur Babu Shankar Dayal : I move that the demand of Rs. 25,560 in respect of the item regarding the salaries of special land record officers at page 28 of the Detailed Estimates be reduced by Re. 1.

My object, as I said in my former speech, was to bring to the notice of the Government certain irregularities and defects in the work, but of course if the Government is satisfied that the subordinates are doing the work properly—although as a matter of fact they do not—then I think let the sins fall upon the head of the Government and I have done my duty. Under these circumstances I am compelled to withdraw my motion.

Motion by leave withdrawn.

The Hon'ble Mr. S. P. O'Donnell : I beg to move that the demand of Rs. 9,92,532 in respect of the item regarding the salaries of kanungo inspectors and other kanungos at page 28 of the Detailed Estimates be reduced by Rs. 660.

This is simply to correct a small error.

Motion agreed to.

Rai Bahadur Babu Shankar Dayal : I move that the demand of Rs. 9,92,532 in respect of the item regarding the salaries of kanungo inspectors and other kanungos at page 28 of the Detailed Estimates be reduced by Re. 1.

I have already shown that the poor kanungos have to start as kanungos and they have to retire as kanungos, and it is the duty of the Government to give them promotion. I have already suggested that inspectors should be appointed for each district. In that case these kanungos will have the prospect of getting better appointments. Selection for naib-tahsildars should also be made from among them, just as was done before, and if any saving is made by reduction in the department then that should be given to these kanungos in the shape of an increase in their pay. So if these kanungos get some stimulus, then they will be the proper persons to supervise the work of patwaris. These officers not only do their own duties but they are also asked to do extra work. They are asked to make arrangements for the camping of troops and whenever any Excellency visits their circles they have to furnish what we call "jhawas" and such other things. I think this practice should be discontinued. Now Sir, if the kanungos get a lift in their pay at this time, then as I have pointed out the records prepared by the patwaris will be correct and Government will also save a good deal which it spends every thirty years in the settlement and in the revision of records. I submit that it is the duty of Government that their children are properly maintained and the case of kanungos should not be overlooked.

Babu Nemi Saran : My intention in bringing forward my own motion was that I wanted to draw the attention of the Government to the state of affairs of the kanungos. In fact, these kanungos, as my friend has just pointed out, are poorly paid. I put a question to the Government the other day as to whether these kanungos get any horse allowance or not, and the reply was in the negative. As the Government are already aware, as they have admitted in their answers, these kanungos in practice do keep a horse. But as they are not given any horse allowance, the natural result is that there is a good deal of corruption among these petty officials. My point is this that when a man is getting Rs. 50 to Rs. 80, how can he afford to keep a horse which alone eats up Rs. 30 a month? If the Government wish that these officers should discharge their duties in an honest way, it should pay them horse allowance. Every one knows that kanungos are very unpopular among the people because they come in touch with the zamindars and tenants and they get a chance to extort money from them and thereby they meet their extra expenses. I say to the Government that if they really want to put a stop to this corruption, as they said the other day that they are going to do, only instructions and strict supervision would not do. As long as these affairs continue, no amount of supervision can make corruption impossible. We have been hearing all along about the grievances of imperial and provincial services and those grievances are being examined, but the poor man of the subordinate service, because he happens to be the son of the soil with no influence at the back, is neglected. Sir, I want to say to the Government that if they really mean to put an end to corruption, their first duty is to see that these subordinates get sufficient to maintain them. Further if the kanungos are not expected to keep a horse, it is up to the

[Babu Nemi Saran.]

Government to discourage this practice. When a district magistrate sees a kanungo with a horse (sometimes these kanungos keep two horses) which is sometimes even superior to his own horse, he should inquire as to how this man has managed to get a horse and how he is able to maintain it. If however the Government want these kanungos to keep horses, it is very desirable that they should get a horse allowance.

The Hon'ble Mr. S. P. O'Donnell: Rai Bahadur Babu Shankar Dayal referred to the question of the promotion of kanungos. He seemed to be under the impression that there were no prospects open to them. If he will refer to page 2 of the last General Administration Report, he will find the following paragraph:—"One sadr kanungo was made a permanent tahsildar and three officiated as such in the year of report. Officiating promotions as naib-tahsildars, including naib-tahsildars of taqavi, co-operative societies and nuzul, were given to more than 50 supervisor kanungos. One diplomate was, as usual, selected direct as an approved candidate for naib-tahsildarship under rule 2(2) of Board's Circulars, No. 1-IXA. Three supervisors were appointed as survey experts in connection with the work of revision of records and two were deputed to land acquisition work. A supervisor kanungo of the Etawah district, who had to revert from the post of officiating assistant manager, court of wards estates, for a time was re-appointed as assistant manager in the Bareilly and Pilibhit districts."

From the above quotation it will be seen that it is not correct to say that there are no prospects open to kanungos. Quite a number of them have received substantial promotion.

As regards the pay of supervisor kanungos, it is Rs. 60 to Rs. 80. Their pay was revised at the same time as the pay of the subordinates and provincial services and they got exactly the same percentage of increase as other officers. The revision of the pay of the provincial and subordinate services that was carried out at that time cost us a crore and a half.

The supervisor kanungos are not obliged to keep a horse, though a number of them do so. My own recollection is that they generally keep a village tat, which does not cost them much. Mr. Blunt tells me that some kanungos obtain horses from their relatives. In any case it is not necessary for them to keep a horse. I remember that once I had to inspect a large area in a tahsil in the Allahabad district, and I did the whole of the work on foot. The kanungo who accompanied me had also to walk on foot, and he told me that he had done on this occasion about three times as much work as he had ever done before. As I have already stated, it is not necessary that a kanungo should keep a horse, but I cannot understand how we can prevent him from doing so.

Motion negatived.

The Council was then adjourned to the following day.

LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

Thursday, 26th March, 1925.

The Council met in the Council Chamber, Lucknow, at 11 a.m. The Hon'ble the President in the Chair.

PRESENT:

The Hon'ble Mr. S. P. O'Donnell.
The Hon'ble Raja Sir Muhammad Ali
Muhammad Khan, Khan Bahadur.
The Hon'ble Lieut. Nawab Muhammad
Ahmad Sa'id Khan.
The Hon'ble Rai Rajeshwar Bali.
Mr. G. B. Lambert.
Mr. E. A. H. Blunt.
Kunwar Jagdish Prasad.
Mr. G. B. F. Muir.
Mr. A. O. Verrières.
Mr. C. E. D. Peters.
Mr. J. R. W. Bennett.
Mr. S. H. Fremantle.
Mr. R. Burn.
Mr. B. J. K. Hallows.
Mr. C. M. King.
Mr. F. F. R. Channer.
Colonel A. W. R. Cochran.
Mr. A. H. Mackenzie.
Mr. G. Clarke.
Raja Bahadur Brij Narayan Rai.
Mr. H. C. Desanges.
Mr. H. David.
Babu Khem Chand.
Babu Narayan Prasad Arora.
Babu Mohan Lal Saksena.
Babu Damodar Das.
Babu Jai Narayan Chaudhri.
Babu Bhagwati Sahai Bedar.
2nd-Lieut. Chaudhri Badwant Singh.
Rai Jagdish Prasad Sahib.
Chaudhri Jaswant Singh.
Chaudhri Sheoraj Singh.
Pandit Nanak Chand.
Lala Babu Lal.
Thakur Rajkumar Singh.
Thakur Shib Narayan Singh.
Rai Bahadur Babu Ram Nath Bhargava.
Rai Amba Prasad Sahib.
Rai Bahadur Pandit Kharagjit Misra.
Lala Dhakan Lal.
Babu Nemi Saran.
Chaudhri Badan Singh.
Rao Sahib Kunwar Sardar Singh.
Thakur Sadho Singh.

Pandit Brijnandan Prasad Misra.
Pandit Bhagwat Narayan Bhargava.
Pandit Jhannu Lal Pande.
Lieut. Raja Durga Narayan Singh.
Lieut. Raja Bahadur Hukm Tej Pratap
Singh.
Pandit Sir Krishna Dutt Paliwal.
Babu Parsidh Narayan Anad.
Pandit Yajna Narayan Upadhyay.
Babu Dip Narayan Roy.
Rai Bahadur Thakur Hanuman Singh.
Bhaya Hanumat Prasad Singh.
Pandit Baijnath Misra.
Pandit Govind Ballabh Pant.
Pandit Hargovind Pant.
Mr. Mukandi Lal.
Babu Ram Chandra Sinha.
Dr. Jaikaran Nath Misra.
Kunwar Rajendra Singh.
Rai Bahadur Thakur Mansal Singh.
Mr. Zahur Ahmad.
Mr. Muhammad Aslam Saifi.
Maulvi Zahur-ud-din.
Rao Abdul Hamid Khan.
Khan Bahadur Chaudhri Amir Hasan
Khan.
Maulvi Obaid-ur-Rahman Khan.
Dr. Zia-ud-din Ahmad.
Hafiz Hidayat Husain.
Khan Bahadur Shaikh Masud-uz-Zaman.
Nawab Muhammad Yusuf.
Saiyid Muhammad Ashiq Husain.
Khan Bahadur Maulvi Fasih-ud-din.
Khan Bahadur Maulvi Muhammad Fazl-ur-
Rahman Khan.
Khan Bahadur Hakim Mahbub Ali Khan.
Mr. Ashiq Husain Mirza.
Khan Bahadur Munshi Siddiq Ahmad.
Khan Bahadur Chaudhri Muhammad
Rashid-ud-din Ashraf.
Shaikh Abdus Samad Ansari.
Mr. St. George H. S. Jackson.
Lala Mathura Prasad Mehrotra.
Raja Shambhu Dayal.
Lieut. Raja Shaikh Imtiaz Rasul Khan.
Raja Jagannath Bakhsh Singh.

QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

GOVERNMENT GARDEN, CHAUBATTIA.

* 1. Pandit Hargovind Pant: (1) Has the Government made the necessary inquiries from the present lessee of Government Garden, Chaubattia, about his taking on lease the entire garden, as promised by the

Hon'ble Minister in answer to a supplementary question asked by me in connection with my starred question No. 7 on the 20th December, 1924 ?

(2) If the inquiry has been made, what decision has the Government arrived at with regard to the future management of the said garden ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (1) Government have made inquiries from the present fruit contractor of the Government Garden, Chaubattia, as promised in answer to a supplementary question asked by the honourable member on 20th December, 1924.

(2) Government have decided that the terms which the contractor will accept for the lease of the garden would result in an ultimate loss to Government, and are not prepared to sanction them.

Pandit Hargovind Pant : Is the Hon'ble Minister prepared to disclose the terms that were offered by the contractor ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The terms that he offered were that he would give us Rs. 1,000 a year.

Pandit Hargovind Pant : Is it the net amount that he offered to give to the Government ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Yes.

Pandit Govind Ballabh Pant : Is the Government making any profit over this garden or is it incurring any loss ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : We are not making any profit at present as some of the plants are very young, but we expect to get more than Rs. 1,000 a year after some time. He wants the lease for 15 years.

Pandit Govind Ballabh Pant : Is the Government prepared to state definite terms on which it will be prepared to give the lease ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Yes. Certainly.

Lala Mathura Prasad Mehrotra : Is it the same garden in which the jam factory was located ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Yes.

*3. **Pandit Hargovind Pant :** (1) What is the total amount of money the Government annually spends in paying off the jagirdars created during the non-co-operation days ?

(2) What is the total amount allotted to each of the three districts of Kumaun for this purpose ?

The Hon'ble Mr. S. P. O'Donnell : (1) The assignments and remissions amount to about Rs. 14,790 :—

						Rs.
(2) Naini Tal	::	::	::	::	::	330
Almora	::	::	::	::	::	720
Garhwal	::	::	::	::	::	200

Mr. Mukandi Lal : Is it illegal gratification or legal remuneration ?
No answer.

Mr. Mukandi Lal : What are the services for which these rewards are given ?

No answer.

AMALGAMATION OF TRANS-KEN VILLAGES OF BANDA WITH
MAUDAHA TAHSIL.

*5. **Thakur Har Prasad Singh** : Has the Government received any memorial from the residents of trans-Ken villages of Banda district protesting against the amalgamation of their villages with Maudaha tahsil in Hamirpur district? If so, what is the decision of the Government thereon?

The Hon'ble Mr. S. P. O'Donnell : Yes; the question is under consideration.

STUDENTS DEBARRED FROM EXAMINATIONS OF ORIENTAL LANGUAGES IN
LUCKNOW UNIVERSITY.

*6. **Hafiz Hidayat Husain** : (a) What are the circumstances under which the Lucknow University debarred students from appearing in examinations of Oriental languages this year?

(b) Were the applications of such students allowed in the first instance by the Executive Council of the University? If so, what are the grounds on which the decision of the Executive Council was reviewed by the University authorities?

(c) Is the Government aware that students so debarred by the University at the last moment could not appear in the Punjab or Allahabad examinations? If so, what steps is the Government taking to help them?

The Hon'ble Rai Rajeshwar Bali : The honourable member is referred to the statement made on behalf of Government during the debate on the Education budget.

ABOLITION OF JALAUN TAHSIL, ORAI.

*11. **Khan Bahadur Shaikh Masud-uz-Zaman** : Has the Government decided to abolish the tahsil of Jalaun in the Orai district? Has the Government received any protest against it?

The Hon'ble Mr. S. P. O'Donnell : (a) The question is under consideration.

(b) Yes.

TRANSFER OF TRANS-KEN VILLAGES OF BANDA TO MAUDAHA TAHSIL.

*12. **Khan Bahadur Shaikh Masud-uz-Zaman** : Has the Government decided that certain villages of Banda tahsil on the western side of river Ken are to be transferred to Maudaha tahsil in Hamirpur district?

The Hon'ble Mr. S. P. O'Donnell : The question is under consideration.

MAKTABS IN THE UNITED PROVINCES.

*14. **Dr. Shafa'at Ahmad Khan** : Will the Government be pleased to supply a list of all the *maktabs* in the United Provinces, and give information regarding the following:—

(a) the total grant contributed by the board of the locality in which the *maktab* is situated;

(b) the number of students on the roll;

(c) the number of teachers employed in the *maktabs*?

The Hon'ble Rai Rajeshwar Bali : It is not clear from the question whether the honourable member asks for information regarding each *maktab* separately or regarding the total number of *maktabs* under each district board. If the former, the information is not available and its collection would involve an amount of labour incommensurate with its value: if the latter, a statement giving what information is available is laid on the table of the honourable member.

Statement referred to in the answer to starred question No. 14 asked by DR. SHAFAT AHMAD KHAN SAHIB on the 27th March, 1925.

District.	Number of boys in <i>maktabs</i> .	Number of teachers in <i>maktabs</i> .	Minimum expenditure on Islamia schools and <i>maktabs</i> prescribed in 1923-24.
MEERUT DIVISION.			Rs.
Muzaffarnagar	481	17	8,777
Dehra Dun	148	7	1,179
Meerut	862	34	12,980
Bulandshahr	484	22	5,845
Saharanpur	869	30	10,909
AGRA DIVISION.			
Agra	771	38	3,171
Muttra	415	17	4,329
Mainpuri	163	8	7,242
Etah	457	17	2,217
Aligarh	451	19	5,041
ROHILKHAND DIVISION.			
Bareilly	1,665	60	8,381
Bijnor	1,431	41	9,754
Budaun	693	27	7,930
Shahjahanpur	1,463	53	15,723
Moradabad	942	31	9,768
Pilibhit	497	18	3,629
KUMAUN DIVISION.			
Almora .. .. .	..	..	..
Garhwal .. .. .	..	..	..
Naini Tal	365	6	..
FYZABAD DIVISION.			
Fyzabad	971	39	5,148
Gonda	932	36	5,838
Bahraich	602	31	9,571
Sultanpur	408	17	9,647
Partabgarh	535	17	4,045
Bara Banki	609	23	6,548
BENARES DIVISION.			
Benares	566	16	8,245
Jaunpur	924	36	25,582
Ghazipur	394	25	10,635
Mirzapur	60	4	4,187
Ballia	904	41	15,279

District.	Number of boys in <i>maktabs</i> .	Number of teachers in <i>maktabs</i> .	Minimum expen- diture on Islamia schools and <i>maktabs</i> prescribed in 1923-24.
			Rs.
LUCKNOW DIVISION.			
Lucknow	330	14	5,211
Unao	404	17	2,845
Rae Bareilly	632	25	5,711
Sitapur	652	23	4,632
Hardoi	520	26	7,170
Kheri	443	24	3,177
ALLAHABAD DIVISION.			
Allahabad	937	28	7,215
Fatehpur	465	17	7,847
Cawnpore	582	27	5,616
Etawah	318	13	3,145
Farrukhabad	656	25	8,298
GORAKHPUR DIVISION.			
Gorakhpur	2,156	83	14,210
Basti	2,243	87	10,748
Azamgarh	1,993	85	14,055
JHANSI DIVISION.			
Jhansi	407	10	2,311
Jalaun	193	8	3,654
Banda	480	25	4,391
Hamirpur	257	11	3,630

PRIVILEGES OF THE MEMBERS OF THE LEGISLATIVE COUNCIL.

*15. **Dr. Shafa'at Ahmad Khan:** Will the Government be pleased to state what steps it has taken with regard to my resolution on the privileges of the United Provinces Legislative Council? Have the proceedings been forwarded to the Government of India and the Secretary of State?

The Hon'ble Mr. S. P. O'Donnell: The Government have not yet had time to examine this question as fully as they desire to do. They hope, however, to complete their examination at an early date and will then forward the resolution and debate to the Government of India.

MUSALMAN WAQF ACT.

*16. **Dr. Shafa'at Ahmad Khan:** Is the Government aware that a large number of *mutawallis* are put to considerable inconvenience owing to the delay in the application of rules under section 5 of the Muslim Waqf Act?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Government have no information. The rules were published with notification, dated the 24th February, 1925.

* 17. **Dr. Shafa'at Ahmad Khan** : What action, if any, has the Government taken with regard to the representation of the *Anjuman-i-Tahaffuz Auqaf* in the matter ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The honourable member is probably referring to the representation made by the Anjuman in regard to the draft of the rules made under section 11 of the Musalman Waqf Act. The representation was duly considered by Government before the draft rules were finally notified.

* 18. **Dr. Shafa'at Ahmad Khan** : Has the attention of the Government been drawn to the resolutions passed at the annual meeting of the Anjuman, which was held under the presidency of Mr. Muhammad Aslam Saifi, M.L.C. ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No.

OUDH CHIEF COURT.

* 19. **Dr. Shafa'at Ahmad Khan** : Will the Government be pleased to state when the Chief Court for Oudh will be established ? Is there any possibility of the court being established this year ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : No date has been fixed. Financial provision is being made with effect from 1st October, 1925.

TRAINING IN NATIONALISM AND SOCIAL SERVICE IN SCHOOLS.

* 20. **Dr. Shafa'at Ahmad Khan** : What action, if any, have the Government taken or intend to take with regard to Pandit Govind Ballabh Pant's resolution moved in the February meeting of the Council ?

The Hon'ble Rai Rajeshwar Bali : The resolution is being sent to the Text-Book Committee for consideration.

Pandit Govind Ballabh Pant : Has the Government sent any suggestions along with the resolution ?

The Hon'ble Rai Rajeshwar Bali : No.

Pandit Govind Ballabh Pant : Has the resolution also been sent to the Board of Vernacular Education ?

The Hon'ble Rai Rajeshwar Bali : Yes, I think it has been sent there.

GOVERNMENT'S ACTION ON RESOLUTIONS PASSED BY COUNCIL.

* 21. **Dr. Shafa'at Ahmad Khan** : Will the Government be pleased to lay on the table a list of resolutions passed by this Council from September to March, and show what steps it has taken with regard to them ?

The Hon'ble Mr. S. P. O'Donnell : A statement is laid on the table showing the action taken by Government on resolutions adopted by the Legislative Council from April to December, 1924. A statement showing the action taken from January to March, 1925 will be given at the next Council meeting if the honourable member asks for it.

Statement referred to in answer to starred question No. 21 of the 26th March, 1925, showing action taken by Government on resolutions adopted by the Legislative Council from April to December, 1924.

Date.	Subject.	Action taken.
1924.		
2nd April ..	Reservation of two civil surgeoncies for private medical practitioners.	Being considered in connection with the report of the Lee Commission on superior services.
3rd do. ..	Appointment of a committee to inquire into the activities of the Industries department in regard to— (1) Development of industries. (2) Technical education. (3) Research. (4) Purchase of stores and to make recommendations for improvements in the matter.	A committee has been appointed.
3rd do. ..	Release of Musammat Parbati Debi.	The prisoner has been released.
5th September ..	The Lee Commission ..	Resolution and debate have been forwarded to the Government of India.
9th do. ..	Encouragement of cottage industries.	No action has been taken.
9th do. ..	Application of the Musalman Waqf Act.	The Act has been applied to all districts and Government have made rules which have been finally published.
10th do. ..	Separation of judicial and executive functions.	Copies of debate on the subject have been forwarded to the Government of India.
10th do. ..	Release of political prisoners ..	Cases of Bagheshwar prisoners have been examined by a senior District and Sessions Judge.
10th do. ..	Treatment of political prisoners	No action has been taken.
11th do. ..	Sale of minor girls ..	A committee has been appointed to consider the question with special reference to naiks.
11th do. ..	Teaching of spinning in schools	The subject has been included in the curricula for girls' schools as an optional subject.
15th December ..	Extension of the <i>Diwali</i> and <i>Holi</i> holidays.	Commissioners have been addressed on the proposal.
15th do. ..	Postponement of fresh settlement operations.	No action has been taken.
16th do. ..	Bringing Kumaun under the civil jurisdiction of the High Court.	The High Court is being consulted.

Date.	Subject.	Action taken.
1924.		
17th December ..	Remedial measures for damage caused by the floods.	Steps have been taken to alleviate the sufferings of people in the flood affected tracts. A resolution showing in detail the action taken has been issued.
17th do. ..	Keeping of suspected cases of insanity among Indians under observation in hospitals instead of in jails as in the case of Europeans.	The Inspector-General of Civil Hospitals has been asked to submit definite proposals and amendments in the rules.
18th do. ..	Grant to the Hindu University at Benares.	No action has been taken.
19th do. ..	Increased representation of Agra landholders in the Legislative Council.	A copy of the resolution and the debate thereon has been forwarded to the Government of India.
19th do. ..	Grazing fees	The subject is under discussion with the Commissioner, Kumaun division.
19th do. ..	Remission of provincial contribution in view of floods.	No action has been taken.
19th do. ..	Remission of provincial contribution.	The resolution with the debate on the subject has been forwarded to the Government of India.

VERNACULAR PUBLICITY WORK.

* 23A. **Dr. Shafa'at Ahmad Khan**: Is it proposed to abolish vernacular publicity work also with the Publicity office from the 31st March, 1925?

The Hon'ble Mr. S. P. O'Donnell: Yes.

SUPERINTENDENTS IN CIVIL SECRETARIAT.

* 24. **Dr. Shafa'at Ahmad Khan**: Is it a fact that there are 18 gazetted posts of superintendents on Rs. 450—40—650 in the Civil Secretariat?

The Hon'ble Mr. S. P. O'Donnell: The answer is in the affirmative.

* 25. **Dr. Shafa'at Ahmad Khan**: Will the Government lay on the table a statement showing the number of permanent Hindu and Muhammadan and Christian officers among these 18 superintendents of the Civil Secretariat.

The Hon'ble Mr. S. P. O'Donnell: The honourable member is referred to the answer to starred question No. 54 of the 27th January, 1925.

Starred question No. 54 of the 27th January, 1925, referred to in the answer to starred question No. 25 for the 27th March, 1925.

Hafiz Hidayat Husain: How many superintendents are there in the Secretariat? How many of them are Muhammadans?

The Hon'ble Mr. S. P. O'Donnell : The honourable member will find the information he requires in the current Civil List.

AMALGAMATION OF ACCOUNTANT-GENERAL'S OFFICE WITH
SECRETARIAT.

* 26. **Dr. Shafa'at Ahmad Khan :** When does Government propose to amalgamate a portion of the Accountant-General's office with the Secretariat? What is the pay of superintendents in that office?

The Hon'ble Mr. S. P. O'Donnell : It is understood that the honourable member is referring to the proposed separation of audit and accounts. That question is still under correspondence with the Government of India.

The work of superintendents in the Accountant-General's office is performed by members of the Subordinate Accounts Service who are on a time-scale of Rs. 200—20—500 and by Senior Public Works Accountants on a time-scale of Rs. 300—20—500.

CHAIRMEN OF DISTRICT BOARDS.

* 28. **Thakur Manjit Singh Rathor :** (1) What district boards in the province do not enjoy the rights of electing their own chairmen?

(2) Are the nominated chairmen of these boards officials or non-officials?

(3) To how many district boards, if any, was the right to elect their own chairmen extended after the introduction of the Reforms (1920)?

(4) What are their names?

The Hon'ble Rai Rajeshwar Bali : Under section 35, District Board's Act, every district board is entitled to elect its chairman.

Babu Nemi Saran : Has the district board of Dehra Dun got a non-official chairman?

The Hon'ble Rai Rajeshwar Bali : I am not sure, but I think it has.

BALDI WATER SCHEME, DEHRA DUN.

* 29. **Thakur Manjit Singh Rathor :** (1) On what date was the statement of tenders for the Baldi water scheme, Dehra Dun, submitted to the Board of Public Health for acceptance?

(2) What is the cause of the delay in sanctioning the unanimous recommendation of the municipal board with regard to the tender?

(3) What is the amount of money that the municipal board of Dehra has to pay to the Government per month for the loan granted to it in connection with this scheme?

The Hon'ble Rai Rajeshwar Bali : (1) The tender was submitted to the Board of Public Health on 21st November, 1924 for opinion. It has no power to accept the tender.

(2) The tender has already been sanctioned. The delay was due to the fact that the Superintending Engineer, Public Health department, did not agree with the proposal of the municipal board, and the matter was referred to the Board of Public Health and the Chief Engineer and ultimately to Government for decision.

(3) The municipal board is not required to repay the loan in monthly instalments. The repayment is made in annual instalments, each of which works out to Rs. 12,871-8.

UNSTARRED QUESTIONS.

REPRESENTATION OF VARIOUS CLASSES AND COMMUNITIES IN THE PUBLIC SERVICES.

2. **Dr. Shafa'at Ahmad Khan** : Will the Government be pleased to state if they have received any communication from the Government of India as regards the representation of various classes and communities in the public services?

Mr. G. B. Lambert : The answer is in the negative.

GOVERNMENT LOANS.

3. **Dr. Shafa'at Ahmad Khan** : Will the Government be pleased to supply the Council with a detailed account of the various kinds of debt contracted by it, and give information regarding the amount spent out of them?

Mr. E. A. H. Blunt : The figures for the years 1921-22 to 1924-25 are given below, those for the year 1924-25 being based on the revised estimates for that year :—

	Rs.
(1) United Provinces Development Loan ...	4,19,99,855
Expenditure	2,46,45,167
(2) Loans for Sarda construction ...	2,40,46,200
Expenditure	2,14,32,895
(3) Loan for flood damages ...	12,25,000
Expenditure	12,25,000

The unspent portion of the Sarda loans is taken in reduction of the advance required in 1925-26.

THE BUDGET, 1925-26.

DISCUSSION OF DEMANDS FOR GRANTS.

Demand No. 19. Head 5.—Land Revenue.

Rai Sahib Lala Jagdish Prasad : I beg to move that the demand of Rs. 30,876 in respect of the item regarding allowances to patwaris and kanungos at page 28 of the Detailed Estimates be reduced by Rs. 5,000.

On page 28 of the Detailed Estimates I find that the figure under "allowances to patwaris and kanungos" for the current year is Rs. 24,951, whereas for the next year it is budgeted as much as Rs. 30,876. I want to know whether this increase is absolutely necessary or whether the figure can be reduced by Rs. 5,000 in view of financial stringency.

Mr. E. A. H. Blunt : This so-called allowance to patwaris and kanungos represents almost entirely what is known as "English allowance" paid to kanungos who know English. I had a tough fight with the Deputy Director of Land Records over this item. In the end he convinced me

that it was absolutely necessary to increase the provision because a certain number of kanungos who were entitled to this allowance were not getting it because there was not enough money. In the circumstances I had to yield and let him have the additional allotment.

Rai Jagdish Frasad Sahib: In view of the explanation given I withdraw my motion.

Motion by leave withdrawn.

Rai Jagdish Prasad Sahib: I beg to move that the demand of Rs. 40,000 in respect of the item regarding *inamdars* and other grantees at page 29 of the Detailed Estimates be reduced by Rs. 9,000.

The figure under this head for the current year is on page 29 of the Detailed Estimates. It is Rs. 30,990, but for the next year it is proposed as Rs. 40,000. So there is a difference of Rs. 10,000. I want to know whether it is absolutely necessary to increase the provision so much or whether the figure can be reduced by Rs. 9,000.

Mr. E. A. H. Blunt: These *inamdars* and other grantees are persons who have received rewards for good work of various kinds. The additional Rs. 9,000 represents additional sanctions. All these sanctions have to come to the Council in order to be voted in the ordinary course, and this Rs. 9,000 only represents additions since last year.

Pandit Hargovind Pant: With your permission, Sir, I would like to change the figure of Rs. 20,000 to Rs. 14,790.

The Hon'ble the President: Yes.

Pandit Hargovind Pant: I beg to move that the demand of Rs. 40,000 in respect of the item regarding *inamdars* and other grantees—5-E—Land Revenue at page 29 of the Detailed Estimates be reduced by Rs. 14,790. In answer to a question that was tabled this morning I have been given to understand that out of the total amount of Rs. 40,000 shown under this head Rs. 14,790 is the amount that is given to those persons who have been granted *jajirs* during the recent non-co-operation days. That is, this amount is being paid to them as a remuneration for their standing in the way of the attainment of *swaraj*, and for this reason I propose that the total amount be reduced by Rs. 14,790. The expenditure of public money on such grants of doubtful character is unsound in principle and is calculated to lead to demoralization.

The Hon'ble Mr. S. P. O'Donnell: The sum to which the honourable member refers includes both assignments and remissions. The remissions are not shown of course in the budget—they can be sanctioned by executive order. But as a matter of fact when these assignments and remissions were sanctioned the whole proposals went before the Finance Committee. The assignments were voted by the Council, it will be remembered, I think, it was in September or October, 1923, after a full discussion and the Council approved the grant of these assignments. That seems to me to be sufficient justification for these assignments.

Mr. Mukandi Lal: If a reply had been given to me this morning I would not have taken your time now. The question which Pandit

[Mr. Mukandi Lal.]

Hargovind Pant asked was "What is the total amount of money the Government annually spends on these *jagirs*?" I want to know what are the services that were rendered by these persons during the non-co-operation movement and whether Government considers a policy like this that they should be rewarded for obstructing public activities of a section of the people with whom Government does not agree?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: On a previous occasion when this question came before the honourable members of this House I also had to speak on this. In the late Council Mr. Kunzru opposed it, and I had to justify it at that time. What I want to submit to the honourable members of this House is that these *jagirs* were given to the zamindars for many valuable services during the war and during the agrarian troubles. There was no question that these men help any section of the community in opposing the movement to get *swaraj*. *Swaraj* is the goal of everybody whoever he may be — whether a zamindar or a non-zamindar; but to get *swara* by revolution is to get no *swaraj* at all, because if we start anarchy once then it is sure that we cannot get *swaraj*. These grants were given to many zamindars who rendered valuable services to the Government, and I think it would be hard on them if they are deprived of them now. I hope the honourable member will withdraw his motion.

Babu Bhagwati Sahai Bedar: I had no intention to say anything on this motion, but since the Nawab Sahib of Chhatari has said something in support I would also like to have my say. I think no *bakhshish* is wanted by those persons who really liked that the British Government should continue over us. We non-co-operated, we left our services, we did away with our practices. This shows we had the real love of the country, and believed in what we did. So if anybody wanted that the British Government was to continue over us or wanted us to remain under perpetual subjection of a foreign Government, he was justified in doing so. He ought to have come forward and sacrificed his all for his convictions. He should have spent from his own pocket instead of demanding from the Government the return of his so-called loyalty in the shape of *jagirs*. Sir, it is said that this item does not relate to those who in a way stood against the non-co-operation movement. I think this statement is wrong. It is certainly meant for those persons, for those toadies and flunkies of the Government who stood in the way of our self-realization. And it is for those traitors that this sum is being granted. Instead of asking *jagirs* these hired demonstrators and paid supporters of the Government should be ashamed of their doings. I strongly support the motion of Pandit Hargovind Pant.

Mr. Nemi Saran: I rise to support this motion, and I say so with a heavy heart after hearing the Hon'ble Minister for Industries. Sir, it is no secret today that India is being subjugated to this rule against the wishes of the people. It is no secret today that we do not want the present constitution for a minute longer than we can possibly help. Sir, the Hon'ble the Minister wants to justify these *jagirs* on the ground that these zamindars did and rendered great services for the cause of the Empire in the time of the war and in times of upheaval days of non-co-operation. Sir, I mean to tell him that those days are gone when non-co-operation movement was being misrepresented in this Hall. But now we are here and we mean to tell him that in reality it was the movement

which created the spirit in the country which he sees in these benches over here. I hope it will not be long before the Nawab Sahib would see his mistake and would like to join us as Mr. Fazl-ul-Haq did come over in voting down the salaries of the Ministers in Bengal, the occupants of the very benches he occupied himself once. Well, I hope the Hon'ble Minister would take a lesson from him. It is only unfortunate that we *swarajists* are not in a majority, otherwise those chairs which are being occupied by our friends opposite would have been vacant. Sir, these *jagirs* are being given to those people who have played traitors to their country; they are the people who wanted to create obstacles in the way of the non-co-operation movement which was the movement for making our country free. I do not deny that there may be some people who may not quite agree with the principles of that movement, but I can say very well without any fear of contradiction that this non-co-operation movement was the movement which has filled this present spirit of freedom today in the country—inside the Council and outside the Council—and that it is this spirit which is today even found among the Liberals (as they are termed). Sir, even the most cruel enemies of the movement had not been able to denounce it wholesale—it has produced effects and healthy effects on society in this country; they have not been able to denounce it altogether as a weapon for fighting the bureaucracy.

If those people have served Government in the war time, they served it because it was their bounden duty according to their conscience, and if we suffered for this country, if we went to jail for our country, we did it because we thought it was right; and if conscience justifies us in doing a thing, we want no reward for it. Secondly, inasmuch as Government as constituted today is without any check or rather is without any representative of ours, it is wholly irresponsible to the wishes of the people, we do not mean to give any weapon in its hands which can demoralize our people. We already know what sorts of patronage these *jagirs*, titles, honorary magistrateships and arms licences are, and how they are and have been used to demoralize people and to stand in the way of men who are working for country's freedom. For this reason alone, Sir, we do not mean to co-operate with Government in allowing this grant for this purpose and hence we refuse to supply this money to the Government.

Dr Zia-ud din Ahmad : We are not here either to praise or to denounce the non-co-operation movement. We are not here to praise or denounce any particular party. I have not a single word to say against the *swaraj* party. Some of the members of *swaraj* party are my personal friends; but I do maintain that the duty of every Government, if it is to be called Government, is to keep peace and order in the country, never mind whether the Government be called a *swarajist* Government or by any other name. I think it is the duty of every Government to assist all those persons who have helped them in keeping peace and order. The question of co-operation or non-co-operation is not before us, I repeat once more. It ought to be the duty of every Government, whoever that Government may be, to recognize the services all those persons who give assistance in keeping order and peace in the country. Therefore I beg to oppose the motion.

Maulvi Muhammad Obaid-ur-Rahman Khan : I stand to oppose the motion which is before the House. If anyone has done any service it is his right to get a reward in recognition of his services. When Mr. Nemi Saran said that these honorary magistrateships, these titles and these

[Maulvi Muhammad Obaid-ur-Rahman Khan.]

jagirs are given to demoralize persons I think he was not right. There may be some persons of that type, but all people cannot be as he thinks. I think he has no experience of those who rightly deserve these rewards. Perhaps his knowledge is very limited; perhaps his knowledge is not so vast; perhaps he does not know to what extent these things are useful and to whom these rewards are awarded. I assure him that they are persons who have served the country better than he can claim to have served the country. They have the welfare of the country at heart more than he has; and they have been serving the country and will serve honestly and earnestly the country even in future. At the same time, they like these honorary magistrateships, they like these titles, and they like to be *agirs*. Sir, may I remind the honourable gentlemen that there are people who have been changing their creed every day. There was a time when they opposed these Councils, and now they are here to work under the same constitution.

Babu Nemi Saran : To wreck it.

Maulvi Muhammad Obaid-ur-Rahman Khan : There was a time when they did not like it, but today they like it; and a day may come when they may like these honorary magistrateships and these titles, and when they will claim these *jagirs*. (Voice:—No, no.) At the time when they were against entering the Councils they were crying more than now and said that they would never enter them; they were condemning these Councils. But today they have come into them. And a time will come when they will be wiser, when they may have a little more wisdom, when they may come forward, and they may like to be honorary magistrates, when they may like to be title-holders, when they may like to be *jagirdars*. If anyone has served in the war and has helped the Government at those critical days . . .

Babu Nemi Saran : He was a traitor.

Maulvi Muhammad Obaid-ur-Rahman Khan : If anyone has served in the war and has helped the Government, then I think it is his right to get a *jagir*. No one can condemn it; no one has a right to condemn it. Therefore I do oppose the motion, and I hope it will not be accepted by the House.

Pandit Govind Ballabh Pant : I do not enter into the ethics of the non-co-operation movement, nor would I expect everybody to subscribe to everything. At the same time, I do not go to the length of saying that every person who is working as an honorary magistrate is doing so because of personal motives only or that no person is rendering any service by holding an honorary office. There are men and men in every class and group; and some are actuated by the best of motives, while others are actuated by mercenary motives or by self-interest alone. We have, I am prepared to accept, black sheep even in the non-co-operation fold. So I would not condemn any particular community. Honorary service of the community is one of the most important duties which the State demands of every citizen. But the experience of some of us has led us to the conclusion that occasions are not few when persons put on cloaks and mislead those in authority in such a manner that instead of being of any use to the community whom they pretend to serve and instead of

adding to the dignity of the office, they bring discredit both on the people as well as on the class to which they belong. We know that there have been cases when persons pretending to help the Government by crying from their house-tops against non-co-operation or any other political movement have been doing all that simply to bring themselves into the good graces of short-sighted officers not because of any convictions but simply to serve their own petty ends. Mostly, I think, it is the people who render no real service, whose pretensions and whose protests have been most clamorous, who have succeeded in getting *inams* from the State. For example, of the various members occupying the benches here I do presume that some hold different views in politics and they may have opposed the non-co-operation movement on that account. But none of them ever desired any reward and none of them ever got it I suppose. It is not unoften self-seeking individuals who care as little for law and order as for their country who seek no notoriety by condemning every movement simply to win the approbation of the authorities with a view to secure something for themselves. I can say this much that out of the men who received rewards in connection with non-co-operation I doubt if anybody was actuated by any conviction in what he pretended to do in carrying on the campaign against the non-co-operation movement. Their public activities have been mostly actuated by personal motives and not by what we know, at least in some cases, were their real opinions. With all these things before us I do think that the Government have been ill-advised in taking the course that they did. I am really surprised to hear one remark from such a shrewd gentleman as my honourable friend the Minister of Industries when he said that we did not want *swaraj* through anarchy or revolution.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: What I meant was that we cannot get it—*swaraj*—by revolution.

Pandit Govind Ballabh Pant: If he had said that then there was no issue on that point. There was no question and nobody ever suggested that we should resort to anarchy in order to get *swaraj*.

The Hon'ble Mr. S. P. O'Donnell: What about civil disobedience?

Pandit Govind Ballabh Pant: If he had said that we cannot get it through civil disobedience, then I would have answered that. Civil disobedience can be interpreted in more ways than one. The Council throwing out every day every demand and the Governor certifying every day these demands is a form of civil disobedience and the demands for records is an instance in point. But where do you commence that civil disobedience and where do you end? If you will go further you will find that resistance to an act like the Criminal Law Amendment Act, which puts undesirable restraint on the freedom of speech and the freedom of association, is a moral duty of every individual. That is a form of civil disobedience. So the question can take so many forms; it can be interpreted in so many ways. I think that the Hon'ble the Finance Member himself will not be able to give a categorical reply *yea* or *no*. What I said was there was no need of referring to anarchy in connection with this motion at all. There is another principle which is involved in this motion, and it is this. Whether for good or ill, whether we are agreed here or not, there is at least to all pretensions and to all professions an element of responsibility in the present system of government, and I agree with every word that fell from the

[Pandit Govind Ballabh Pant.]

honourable the Secretary for Education when he said the other day that Government servants should not be used for purposes of political propaganda. The point is this, whether having an avowed system of responsible government you are going to encourage any particular school of thought which agreed with the particular persons who happened to be in power in connection with that responsibility at that time, whether it will not be open to the Ministers to propose *inams* for the supporters of their own school of thought when they are in power; whether, assuming that the *swarajists* got into those benches tomorrow, it will be open to them to propose such sort of *inams*. You cannot do that without introducing an element of corruption, which should be avoided unless we are going to have a jingo state as obtains in some of the western countries.

Nawab Muhammad Yusuf: I am glad the honourable Leader of the Opposition has delivered a very considerate and restrained speech and he has certainly cleared the atmosphere by admitting that there are honorary magistrates and honorary magistrates, there are landholders and landholders, there are title-holders and title-holders. A sweeping remark like that which emanated from my friend Mr. Nemi Saran that every title-holder, every honorary magistrate and every landholder is dishonest and is won over by these grants and privileges I very strongly take exception to.

Babu Nemi Saran: I never used the word "dishonest." I said he was a traitor to the country.

Nawab Muhammad Yusuf: That is much worse. Do you mean to say we are immoral, that we have no stamina, that we are demoralized, that we are degenerate enough to be won over by the Government? I challenge the honourable member on this point. I do say there are exceptions. There are men and men. I am aware of the fact that there are some who are willing to sell their country for anything. I am aware that there are people who are willing to play traitor to their country; but I am also aware that there are landholders, there are honorary magistrates; and there are title-holders who will stake their lives, stake everything they possess, for the sake of their country's honour. The primary duty of the Government is to come forward and give grants to those who serve the Government and who help in the maintenance of order and peace. No Government can possibly abdicate its primary functions, and it is this, that it must maintain law and peace in the country; it must encourage and sympathize and give grants to those who stand by them in maintaining peace and order. Do you mean to say that supposing there was *swaraj* today in India, those people who stood by the Government and fought for the Government should not be rewarded for their services or that their services should not be recognized in some way. I think that the Government could not but come forward and give grants and do something to show their approbation of their action, sympathy and help that they extended to the Government. It must be recognized on all hands that, it does not matter what the Government is, whether it is a *swarajist* government or a foreign government or any other form of indigenous government, Government has got to stand by those who stand by them, and as long as this fact is recognized to be perfectly justified it must be borne in mind that the Government is doing the right thing in making grants.

Mr. Zahur Ahmad : Nothing surprised me more than the speech of the Hon'ble Minister of Agriculture and Industries and my learned friend Nawab Muhammad Yusuf when they said that these *jagirs* were granted to those who really stood for the Government during the days of the war. I must submit that the question raised by my friend Pandit Hargovind Pant is absolutely clear; he asked what the total amount of money the Government annually spent in paying off the *jagirs* granted in the non-co-operation days, was, and the reply was that the assignment and the remission amounted to about Rs. 14,790. From this question and from this answer given I believe no one can infer either by implication or otherwise that these *jagirs* were given to any person for anything else but for standing in the way of non-co-operation. There is no suggestion in the least in the answer given that these *jagirs* were given to those who really helped during the war, and my friend Nawab Muhammadi Yusuf has just remarked that the Government must pay those persons who fought for the Government. There is no question of fighting for the Government; there is the question that persons coming in the way of non-co-operation were rewarded. May I ask my learned friend Nawab Muhammad Yusuf "who are the persons who got these *jagirs*, what service had they rendered to the Government?" I ask my friend Dr. Zia-ud-din whether it was not the fact that the service they had rendered was no more than going to the district magistrates and superintendents of police and backbiting the people and giving false and absolutely groundless information against those who were doing what they thought proper according to their conscience and conviction. I would really say that had they come forward in those days and had gone about in the country and in the cities and districts, standing on the platform and delivering lectures for the sake of the Government, for the benefit of the Government, then it could have been said that they are persons who have got the courage of their convictions. In those days these gentlemen hid themselves in their houses. So they have done nothing except going to the district magistrate and backbiting and giving false information. If for these services they are going to be rewarded from the money of the people, then I may say it is really not a great honour to my friend Mr. Obaid-ur-Rahman Khan, who says that there are landholders who want titles and *jagirs*. If they want titles and *jagirs* they must earn them like honest men, brave men and courageous men, not like backbiters sitting in the drawing rooms of officers and giving them all sorts of false information. One thing more and I finish. Well, Government has got a sufficient number of police, sufficient number of high and low Government servants, district magistrates, tahsildars, deputy collectors and any number of people who are in the Government service. They had a large number of police force, the Criminal Investigation department and any number of persons at their disposal; peace and order could have been maintained quite easily by these persons. I want my learned friend Dr. Zia-ud-din to listen to me when I say that "peace and order" cannot be maintained by those who go to district magistrate and sit in their drawing rooms and give false and groundless information. According to the Government peace and order is maintained by police force and by the army and not by those who really go backbiting others. If this *inum* (reward) was only for the sake of "peace and order," you ought to have come to this House and put in a supplementary budget and asked the Council for money in order to appoint a certain number of persons for the sake of "peace and order" and to counteract the

[Mr. Zahur Ahmad.]

non-co-operation movement, and this House would have passed the necessary money if it had chosen to do so. But is it just and proper to part with people's money in this manner of which you are the custodian? Well, if this is the service for which you are going to give *jagirs* and *inams*, etc. I am sorry I cannot agree. And I cannot envy such *jagirdars* who got these *jagirs*. Now, one word to my honourable friend Nawab Muhammad Yusuf. He says there are *taluqdars*, there are *jagirdars* and there are title-holders who are ready to die for the sake of the country. I know, Sir, there are *taluqdars* and *jagirdars* even in this House—I most humbly submit—who knowing and believing what is good will not dare to raise their fingers against the Government benches. If that is the state of *taluqdars*, *zamindars* and *jagirdars*, then I say to my friend Nawab Muhammad Yusuf that he should not boast of the community to which he belongs.

The Hon'ble Mr. S. P. O'Donnell: The honourable member for Naini Tal has said that the gentlemen in his district who have received remissions or assignments are double-faced persons.

Pandit Govind Ballabh Pant: I did not confine myself to my district.

The Hon'ble Mr. S. P. O'Donnell: I presumed that the honourable member was relying on his personal knowledge of his own district. However, I understand that he brings the charge against persons in all districts. These persons according to him are double-faced persons animated only by self-seeking motives whose services were negligible and who ought never to have received any sort of recognition. It is easy to impute motives to other people. Those gentlemen are not here to defend themselves. If they had been here to defend themselves they might have had something very relevant to say. All that I can say is (I do not know these gentlemen) that the recipients were very carefully selected by District Officers and Commissioners, and that afterwards we put the whole list in front of the Finance Committee.

As to the general question of principle, Sir, these rewards were an exceptional measure justified by exceptional circumstances. We were faced in 1921 and part of 1922 with an altogether unprecedented situation. We were faced with a movement which was, so far at any rate as many of its adherents were concerned, of an entirely unconstitutional character with a propaganda which in many places set class against class, sought to foment hatred against the Government, to subvert the constitution and to bring about a violent revolution. These rewards were given to these men not because they belonged to this party or to that party, but because they helped in combating propaganda.

Rao Abdul Hamid Khan: Perhaps the Council never heard such bitter speeches. It is for the first time that an attempt has been made to throw mud on one another. I regret that a beginning in this line has been made by the *swaraj* party, who pretended to have monopolized all the best qualities virtues of the world. It is far from decent that attacks be hurled against one and all the members of a certain party. The Leader of the *swaraj* party has rightly pointed out that good and bad persons are to be found on every side. It does not look well in you to call co-operators traitors and enemies of the country, specially when you yourself suspended non-co-operation movement after a practical experience of two and a half

years, and have almost come in line with us. The assertion on the part of *swarajists* that the co-operators have achieved these *jagirs* through carrying tales to the Commissioners and Collectors is not becoming. While talking inside the Council as a member you should realize the responsibility of your position and not talk as if you are haranguing a mob in the streets. I always considered non-co-operation to be a wrong and disastrous movement and declared so from public platforms. But the difficulty is that you have assumed from the very beginning that moral courage and other virtues are your sole monopoly. It is but natural to aspire for some reward after rendering meritorious service, for in order to maintain peace a man has sacrificed his time, comfort and wealth in order to help the Government against those persons who wanted to obstruct the Government, called it satanic and left no stone unturned to paralyze it. I think it is somewhat illogical that no man may expect or accept any reward in the shape of *jagirs* from the Government which he has served to the best of his ability. Did you not demand the reward from the public for the services you have rendered two and half years ago? Did you not desert the battle of non-co-operation and demanded the chairmanship of municipal boards and district boards? We are sorry that you attack the persons who according to their conscience consider this non-co-operation movement of no earthly good. You deserted your brethren and came here. Did you not make the public believe at the time of elections that you are going to Councils to destroy them, and do I at all stand in the need of reminding you that you did not hesitate to vote with the Government. In the beginning you said that you will not enter various committees, but today it is the chief ambition of your life. It was your last *zid* that you will not join social functions. But in the At Homes of the Ministers yesterday you were not altogether conspicuous by your absence. The Government is justified to reward the services of those who rendered services to them. It is their first duty. Did you not spend the Tilak Swaraj Fund in different shapes of compensations. With this point in view I appeal to the House to reject this reduction.

The Hon'ble Lieut Nawab Muhammad Ahmad Sa'id Khan : I beg to move closure of the debate.

The Hon'ble the President : I accept the closure.

The question was put and the Council divided as below :—

Ayes (23).

Babu Narayan Prasad Arora.
Babu Mohan Lal Saksena.
Babu Damodar Das.
Babu Jai Narayan Chaudhri.
Babu Bhagwati Sahai Bedar.
2nd-Lieut. Chaudhri Balwant Singh.
Pandit Nanak Chand.
Thakur Shih Narayan Singh.
Lala Dhakan Lal.
Babu Nemi Saran.
Chaudhri Badan Singh.

Thakur Sadho Singh.
Pandit Brijnandan Prasad Misra.
Pandit Bhagwat Narayan Bhargava.
Pandit Jhanni Lal Pande.
Pandit Sri Krishna Dutt Paliwal.
Babu Parsidh Narayan Anad.
Pandit Yajna Narayan Upadhyia.
Pandit Govind Ballabh Pant.
Pandit Hargovind Pant.
Mr. Mukand Lal.
Babu Ram Chandra Sinha.

Mr. Zahur Ahmad.

Noes (51).

The Hon'ble Mr. S. P. O'Donnell.
The Hon'ble Raja Sir Muhammad Ali
Muhammad Khan, Khan Bahadur.
The Hon'ble Lieut. Nawab Muhammad
Ahmad Sa'id Khan.

The Hon'ble Rai Rajeshwar Bali.
Mr. G. B. Lambert.
Mr. E. A. H. Blunt.
Kunwar Jagdish Prasad.
Mr. G. B. F. Muir.

Noes (51)—(concl'd).

Mr. A. C. Verrières.
Mr. C. E. D. Peters.
Mr. J. R. W. Bennett.
Mr. S. H. Fremantle.
Mr. R. Burn.
Mr. B. J. K. Hallowes.
Mr. C. M. King.
Mr. F. F. R. Channer.
Colonel A. W. R. Cochrane.
Mr. A. H. Mackenzie.
Mr. G. Clarke.
Raja Bahadur Brij Narayan Rai.
Mr. H. O. Desanges.
Mr. H. David.
Rai Jagdish Prasad Sahib.
Chaudhri Jaswant Singh.
Chaudhri Sheoraj Singh.
Lala Babu Lal.
Thakur Rajkumar Singh.
Rai Bahadur Babu Ram Nath Bhargava.
Rai Amba Prasad Sahib.
Rao Sahib Kunwar Sardar Singh.

Lieut. Raja Durga Narayan Singh.
Babu Dip Narayan Roy.
Rai Bahadur Thakur Hanuman Singh.
Kunwar Rajendra Singh.
Rai Bahadur Thakur Mashal Singh.
Mr. Muhammad Aslam Saifi.
Rao Abdul Hamid Khan.
Maulvi Muhammad Obaid-ur-Rahman Khan.
Dr. Zia-ud-din Ahmad.
Hafiz Hidayat Husain.
Khan Bahadur Shaikh Masud-uz-Zaman.
Nawab Muhammad Yusuf.
Khan Bahadur Maulvi Fasih-ud-din.
Khan Bahadur Hakim Mahbub Ali Khan.
Mr. Ashiq Husain Mirza.
Khan Bahadur Munshi Siddiq Ahmad.
Khan Bahadur Chaudhri Muhammad
Rashid-ud-din Ashraf.
Shaikh Abdus Samad Ansari.
Lala Mathura Prasad Mehrotra.
Lieut. Raja Shaikh Imtiaz Rasul Khan.
Raja Jagannath Bakhsh Singh.

Motion negatived.

Hafiz Hidayat Husain : I beg to move that the demand of Rs. 53,656 in respect of the item regarding allowance to ruling chiefs and other notabilities at page 29 of the Detailed Estimates be reduced by Rs. 10.

My object in moving this motion is to find out from the Government what this amount is meant for, because even in the budget memorandum the only explanation given is that the net decrease is based on actuals. I have come to know from Mr. Bajpai that this amount refers to certain lands which were given up by the Native States. I want to find out whether this amount is subject to any revision by this Government or by the Imperial Government, and secondly, whether it is incorporated in the treaties with those Native States because I find no trace of it in "Aitchisons Treaties."

Mr. E. A. H. Blunt : I am afraid that the information which the honourable member got from Mr. Bajpai is not quite correct. The item to which he refers is the allowance to ruling chiefs and other notabilities and it consists of three items—one is an allowance to a raja in Benares, another is that of a raja in Ghazipur and the third is that of a raja in Gorakhpur. I have not been able to trace the history of the first and the last, but the history of the second, viz., the raja of Ghazipur, will be found at page 103 of the Ghazipur Gazetteer. It represents a *jagir* which was granted as far back as 1778. After a lot of vicissitudes it was ultimately confirmed by a decree of the civil court in the year 1830, and it has continued ever since. I have no doubt that the others are of the same kind. At all events this particular one which represents Rs. 37,000 out of the whole sum of Rs 53 000 is dependent on a legal decision, and should therefore perhaps be actually classed as non-votable.

Motion by leave withdrawn.

The Hon'ble the President : The original demand under the head of account "5—Land Revenue" was for Rs. 36,95,080, since when the Council has adopted a motion by which a reduction of Rs. 7,42,168 was made,

leaving a net demand of Rs. 79,52,912. The question is that this demand be voted.

Demand voted.

Demand No. 20. Head 34.—Agriculture.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I beg to communicate to this House the recommendation of His Excellency the Governor that a sum of Rs. 23,13,820 be granted under the head "Agriculture," and I move that this sum be voted. This sum includes Rs. 17,57,420 for agriculture, Rs. 3,54,300 for veterinary charges, and Rs. 1,98,100 for the Co-operative department. All through my life I have always tried to pour oil over troubled waters. Unfortunately, before I was to introduce a demand relating to a department directly under my charge, a question was raised owing to which the temper of the House has been excited. Now that some time has passed, I hope honourable members are in a better mood and they will hear me coolly. Sir, I will crave the forgiveness of honourable members for taking a little more time than usual because I have to deal with three departments.

First of all I take agriculture. Honourable members will be pleased to note that we have tried our level best to increase the efficiency of the department and to reduce the expenditure to the lowest possible minimum so that the money of the tax-payer may not be wasted and he may reap full benefit out of the money spent in this department. I take this opportunity of thanking Mr. Clarke, the Director of Agriculture, whose excellent work and zealous devotion to the department have brought about so many improvements in it. I will take the departmental farms first. They have been subjected to severe criticisms in this House, and thanks to the searching inquiries made by honourable members we have been able to effect great improvements in our demonstration and experimental farms. Honourable members will be pleased to note that while in 1922-23 there was a loss of Rs. 41,000, which was considered at the time as moderate, on all our farms, this year it is only Rs. 27,000, a result which is due not to the fact that we have reduced our expenditure, but that we have increased our receipts under this head.

Some of my honourable friends were pleased to inquire last year as to what the Agriculture department had done for the poor cultivator in the rural area, and my esteemed friend Raja Jagannath Bakhsh Singh wished to know if in any district in the province the outturn of any crop per acre has increased through the activities of this department. We took that criticism to heart, and we are prepared now to place before honourable members Hardoi tahsil as an illustration. In that tahsil about 700 acres of land is under cultivation of Java sugarcane, and it has been found by experiment at five places in that area that 900 maunds of sugarcane can be grown in an acre. In value it is estimated that the difference between the Java cane and the ordinary cane is in the proportion of 1.5 to 3.5. Again, out of the ten seed stores, which we decided to establish, eight have already been completed and two are nearing completion. Those which have been completed will start work next *rabi*, while the delay in the case of the remaining two was due to the fact that we could not acquire land earlier. Cotton engaged our special attention, and we have been able to produce a seed by far the best yet tried in the cotton districts.

As I stated in reply to certain criticisms at the time of the general discussion of the budget, our primary duty is to increase the protected area

[The Hon'ble Lieut. Nawab Muhammad Ahmad Sai'd Khan.]

in these provinces. The periodical famines are a great catastrophe in places which have no canals or wells. There the cultivation is simply gambling in rain. We are, however, trying to extend the activities of our department by sinking more tube-wells. We have already sunk forty-eight such wells this year, as against sixteen of the previous year, and the measure of success that has attended our efforts in this direction is about 77 per cent. As our work in this line is bound to increase day by day, we have provided for a sum of Rs. 33,800 in the budget, which I hope honourable members of this House will be pleased to vote.

In the cattle-breeding section we are trying our best to improve the quality of our cattle in the province. Last year we issued seventy-two bulls and gave financial assistance to fourteen sub-committees of the district boards so that they might be able to introduce a scheme for cattle-breeding in different places.

I now wish to say a few words about the two institutions that we have got in these provinces. The Cawnpore Agricultural College is doing very useful work. It has got 116 boys on its roll. We have a mind to open a horticultural class there, so that in future we may be able to get trained overseers for our gardens in the province. My friend the honourable member representing my own district criticized last year that we had no Indian as Superintendent of the gardens. He will be pleased to know that we have got one Indian among them this year and as our students come out of these schools there would be no need to get anybody from outside as far as our gardens are concerned. Our own people will be able to look after them. The other institution is our agricultural school at Bulandshahr. We have got forty-four boys there and ten teachers of middle vernacular schools are under training. We are trying to start ten farms attached to ten selected middle vernacular schools, and we hope that we will be able to import agricultural education in the rural area which would be a great advantage to our cultivators.

Now I would like to say a few words about the Co-operative department. I know that many of the honourable members are very much interested in this department, and rightly so, because it is one of those departments which can do a good deal towards the progress of our rural area, and on which in fact a good deal of our agricultural development in the rural area depends. I may say, at the very outset, that I do not mean in any way to indicate that the position in this department is as satisfactory as one would like it to be or that there is nothing to be done in the future. But I cannot help saying, as the figures will prove, that the conditions of the department are not quite so bad as some of the honourable members regard them to be. One great mistake that has been committed not only in this province but also in the sister provinces had been expansion without adequate precautions. This is our bad legacy which has brought about conditions so deplorable in the district of Budaun and in my own district, namely, Bulandshahr, despite the precautionary measures. No less than 567 new societies were formed, and the net increase in the number of societies is 349. The membership of primary societies has increased by 8,059 out of which agricultural societies are responsible for 6,109 and the non-agricultural for 1,950. We are also trying to invoke the assistance of the local bodies because we are fully convinced that for the success of the movement it is very necessary that non-official workers should be obtained to run the whole show.

Babu Bhagwati Sahai Bedar : What is the number of liquidated societies ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I will tell you everything. The Government have recently placed at the disposal of the Co-operative department a sum of Rs. 20,000 for starting industrial societies and we have already received applications for the amount of Rs. 15,000 which I hope will be given to them. Our audit work has naturally increased and we are going to increase the number of auditors by five, if this Council would agree to the proposal. I remember last year attacks were made on this department by my friend Mr. Sadho Singh, but after a conference between him and the registrar both went to Budaun and on his return from Budaun he was good enough to tell me that he was fully satisfied and that everything was done which was required to be done. The great difficulty with this department is this that if the movement is running smoothly and successfully, say in 30 or 35 districts, nobody comes forward and points out this fact. Unless one reads our annual administration reports, there is no other means of knowing that the work is going on smoothly and successfully anywhere ; but the moment anything happens in any district, a cry is raised that something is going wrong.

Babu Bhagwati Sahai Bedar : Has the annual report been published ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Will the honourable member let me proceed ?

The result is that the department is attacked as if it was an entire failure. I will not ask honourable members to take the trouble of reading our annual report, but I hope that all of them will agree that there is one acid test by which we can know whether the department, as a whole, is improving or whether it has been a failure. I do not wish to say anything about any particular district, but now I am speaking about the whole province. As I have said, there is one acid test which, if applied, will show whether the movement is improving and progressing well, or whether it has been a failure. That acid test is to know whether the amount of owned capital has increased or not ; whether the reserve fund in different districts has increased or decreased ; also whether the number of societies working with their own capital has increased or decreased ; in short, whether the indebtedness of our cultivator has increased or decreased. If we could prove that the indebtedness as far as this movement is concerned, though very very slowly and very very gradually, has decreased ; if we could prove that the number of such societies as are working with their own capital and are under no debt to anybody has increased, then I think there is a clear case that the movement is not an entire failure. I have already said, and I am ready to say now, that there may be defects ; there are many places where the movement has not succeeded ; there may be defects in it and it can be improved ; but, in any case, the position is not quite so bad as to make honourable members very despondent. Now I will put these figures before the honourable members of this House. In 1921-22 the number of societies working with their own capital was 370, in 1922-23 it went up to 395. I admit this is a very slow progress. In 1923-24 it further went up to 471. Now the number of such societies as have got their own capital between 75 and 100 per cent. in 1921-22 was 323. In 1922-23 it went up to 387 and in 1923-24 it went up to 442.

Babu Bhagwati Sahai Bedar : May I know the total number of societies ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I have not got here the total number of societies. Now, honourable members will be delighted to know that the paid-up share capital has increased. In 1919-20 it was Rs. 11,23,131; in 1920-21 it became Rs. 11,97,243; in 1921-22 it went up to Rs. 12,47,775; in 1922-23 it was Rs. 15,00,480; and in 1924 it went up to Rs. 16,67,608. In the same way our reserve fund has increased from Rs. 9,10,500 in 1919-20 to Rs. 13,48,637 in 1923-24.

Coming to the Veterinary department I beg to say that we have 176 veterinary assistants and 124 dispensaries in the province. The complaint was made to us in the Local Self-Government department that some of the local boards wish to get more control over these dispensaries. We have changed our rules in such a way that boards will have more control and can supervise them more fully than they have been able to do up to now. But I have grave doubts as to the wisdom of the suggestion made by some boards who wish to do away with all these dispensaries and veterinary assistants or to reduce them to such a small number that there can be hardly any utility left for them. I hope the honourable members of this House will try and persuade different boards not to follow this course, because after all in a province which has got 4,147,357 head of cattle it is necessary that we must have dispensaries for cattle. Sometimes the argument has been brought forward: "What is the use of having two or three men in the district? They cannot do much service and can serve no useful purpose." I agree that we are in need of many more dispensaries, but there is hardly any logic in this, that if we cannot have all that we want or require, we should have nothing at all. For instance, suppose somebody comes and says: "Our dispensaries are not in proportion to our population"—which they are not; then does it follow that we should do away with all these dispensaries, and that if 50 or 100 men out of a thousand can be given relief, even this small number should be deprived of that relief? I do not think there is any logic in this. What we ought to try to do is to increase their number, but it is not a remedy that as they are not proportionate to our need they should all be abolished. Sir, this was the only thing I wanted to say. I hope honourable members of this House will realize that all these departments are in the interests of the rural population and any cut or harsh treatment on behalf of the honourable members of this House will not be in the interests of their rural constituents. An honourable member asked how many societies were under liquidation—the number is 856 as on the 30th June, 1924.

Babu Bhagwati Sahai Bedar : I beg to move that the demand of Rs. 9,900 in respect of the item regarding salaries under Superintendence (General) at page 93 of the Detailed Estimates be reduced by Rs. 3,500.

If we compare the revised estimates of 1924-25 with the budget estimate of 1925-26 we see that there is an increase of Rs. 3,500. I do not know what this is due to, and I believe the Hon'ble Minister will please explain.

Mr. G. Clarke : The revised estimate is a very bad figure to go by, because this calculation is made by the Accountant-General and does not represent the real figures. If the honourable member will make his comparison with the budget provision for 1924-25 instead of with the revised, he will arrive at a more accurate picture of the situation. The increase is due under this head to the appointment of an accounts officer on Rs. 400 per mensem instead of on the initial salary of Rs. 275 per mensem, and

the increase is met by a corresponding reduction in another head, supervising staff, agricultural circles, from which the higher paid officer was transferred. I may add for the information of the honourable member that this grant of Rs. 9,900 is for the salaries of two officers, my personal assistant and secretary of the Board of Agriculture, and for the audit and accounts officer. The appointment of the inspector of stores and accounts, who is really the audit officer of my department, was sanctioned in 1924. The appointment has fully justified itself. This officer tours continually making inspections of the farms accounts, and we are now able to tell at any particular time the exact position of any departmental institution. Various irregularities have been discovered and steps have been taken to prevent their recurrence, and on the whole the appointment of this officer, which accounts largely for the increase to which the honourable member wishes to draw attention today, has more than justified itself in the improved financial position of the departmental institutions.

Chaudhri Jaswant Singh : I beg to move that the demand of Rs. 9,900 in respect of the item regarding personal assistant and inspector of accounts and stores at page 93 of the Detailed Estimates be reduced by Rs. 1,500.

Sir, if the honourable members will turn to page 93 of the Detailed Estimates they will find there is an increase of Rs. 2,350, and I wish to reduce Rs. 1,500 only which is reasonable with the view of economy, specially when the number of posts is equal as it was last year. I hope the Hon'ble Minister will accept this small reduction of Rs. 1,500.

Mr. G. Clarke : I covered all the points raised by the last speaker in my reply to Mr. Bedar.

Both motions by leave withdrawn.

Khan Bahadur Maulvi Fasih-ud-din : I beg to move, Sir, that the demand of Rs. 12,000 in respect of the item regarding regrant of lapses at page 93 of the Detailed Estimates be omitted. Sir, I am very loath to propose any reduction in the expenditure of this department, and I am glad to say that the total cost of this department has now been budgeted to be about Rs. 26,000 against Rs. 23,000, the figure in the revised budget. But I understand that this amount represents those items which could not be spent by the department during the current year. If that is so, the Council should be extra careful in again placing these items at the disposal of the Agricultural department. The Agricultural department is expected to spend up all the sums which are placed at its disposal and demand for more, because it is a nation-building department.

Mr. G. Clarke : The item for the regrant of lapses is a zero item in the budget; it does not involve the expenditure of a single pie which has not been previously voted by the Council. It is a common item in all budgets which undertake construction work and repairs. It can only be used for specified purposes, such, for example, as construction of seed stores and the like. I understood the honourable member to remark that he did not think it satisfactory that the whole sum provided in last year's budget was not spent. The reason for the re-introduction of these items in this year's budget is the delay that has occurred in regard to two seed stores. The land required was only acquired in January, 1925. If we had attempted to spend the money during the financial year it would have led very probably to unsatisfactory work on the part of the contractors and most

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certainly to excessive expenditure in March, and other financial enormities which the Public Accounts Committee would very much dislike. I therefore asked the Financial Secretary to come to my assistance and provide this sum for regrant of lapses. If it is not provided, if the honourable member's motion is pressed, two seed stores at Tilhar and Bisalpur which are urgently needed by the agricultural public of those parts will have to be stopped, and the money which has been spent in the acquisition of land and the collection of material will be entirely lost. Before I sit down I will ask the honourable member to withdraw the motion in view of the fact, that not one single pie is being spent on any item which has not been previously sanctioned by the Council.

Khan Bahadur Maulvi Fasih-ud-din: I do not press the motion.
Motion by leave withdrawn.

Raja Jagannath Bakhsh Singh: Shall I be in order in speaking on the general policy of the department?

The Hon'ble the President: No: we come to that much later.

Raja Jagannath Bakhsh Singh: Then I will not move it.

Maulvi Muhammad Obaid-ur-Rahman Khan: I beg to move that the demand of Rs. 2,23,260 in respect of the item regarding establishment at page 93 of the Detailed Estimates be reduced by Rs. 100.

By moving this nominal reduction I want to draw the attention of the Hon'ble Minister of Agriculture to the points which have been brought out in connection with the replies that I got on the 27th January, 1925 in reply to a question of mine. It runs thus:—

List showing the numbers of Muhammadans, Hindus and Christians in various services in the department of Agriculture, United Provinces.

Serial number.	Name of service.	Number of Muhammadans.	Christians.
1	Indian Agricultural Service	Nil.	7
2	Provincial Agricultural Service	4	
3	Subordinate Agricultural Service	25	
4	Fieldmen's service	14	

The number of Hindus in the above services are 413, 100 and 59, respectively. What I want to say is this: From this list it is clear that Muhammadans have not got their quota. I hope the Hon'ble Minister will look into this question and try to give Muhammadans an adequate number, at least 25 per cent.

Mr. G. Clarke: The honourable member has drawn the attention of the House to the fact that no Muhammadan has been appointed in the Indian Agricultural Service. No more appointments will be made in the Indian Agricultural Service as a result of the Lee Commission recommendations and we are substituting for more appointments in the higher grade in the United Provinces Agricultural Service. At the end of this financial year we shall have in the upper grade of the United Provinces Agricultural Service, corresponding to the old Indian Agricultural Service, two Muhammadans as Deputy Directors and two as senior United Provinces Agricultural Service officers. With regard to the Subordinate

out of 126 appointments, 25 are Muhammadans. With regard to the fieldmen service the position is somewhat different. As a matter of fact, not a large number of Muhammadans offer themselves for appointment in that service. When they do come forward full recognition will be given to their claims.

Maulvi Muhammad Obaid-ur-Rahman Khan : I want to put one question. In the Cawnpore Agricultural College there are only 12 Muhammadans, while there are 57 Hindus and three Christians. In the Bulandshahr Agricultural school there is only one Muhammadan and six Hindus.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : In such departments which are rather of a technical kind it is very difficult to always give appointments according to the representation of any political or religious body, because we have to get men of technical ability. Unless we have got such men of course we cannot give preference to non-technical men unless they are fully qualified. These are the reasons why we have not got very many professors in our Cawnpore College who are Muhammadans. Nor do I think, it is very desirable always to put very strict conditions in every department for having communal representation, as the Director of Agriculture has just said, under the Lee Commission now we will recruit all our men from these provinces, there will be a few recruitment from outside, if specially needed. So there will be ample place for both Hindus and Muhammadans to come into the Agricultural department.

Maulvi Muhammad Obaid-ur-Rahman Khan : I beg to withdraw my motion.

Motion by leave withdrawn.

Rai Bahadur Thakur Hanuman Singh : I rise to move that the demand of Rs. 41,740 in respect of the item regarding travelling allowances at page 93 of the Detailed Estimates be reduced by Re. 1.

I desire to take an opportunity of making a few observations in connection with the travelling of officers and subordinate servants of the Agricultural department. This amount of Rs. 41,740 is intended for the travelling allowance of the Subordinate Agricultural Service men. These men are, I think, intended for giving instruction in agriculture as well as for doing some propaganda work, so that the people may come to know the benefits of the improved methods of agriculture. But I find that these subordinates are very often made to work on Government agricultural farms and they have to neglect their ordinary duty, that is the duty of going to villages and giving instruction and persuading the people to adopt the improved methods of agriculture. Unless a large number of these men be employed and be posted in each district for the sake of carrying on propaganda work, I think the agriculturists living in the remote corners of the district will not take advantage of the experiments and other things which the department is finding out for the improvement of agriculture in these provinces. The results of the experiment may, of course, find place in the notes and books of the Director of Agriculture, but they will never be known to the people for whose advantage he is trying to have them. I think a larger amount should be spent on propaganda work, so that these men of the department may be able to explain to the cultivators on the spot that by taking up the improved form of agriculture they will gain much more. Not only this, they should supervise the small

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farms of the agriculturists and see that they are run in proper manner, so that the cultivators may gain more profit than by carrying on cultivation of their own fields in the indigenous way. This question was discussed in this Council before this too, but I find that the increase in the number of subordinate servants is nominal, that is two only this year. Such slow increase will not meet the needs of the people. We desire that the attention of the cultivators should be directed towards the improved methods of agriculture. If they once take to them, I think the progress in agriculture will be rapid, and I think then the difficulty of the department will be much less and after a time the department may find it possible to curtail the number of these men. But at present it is necessary that a very large number of men should be employed on propaganda work.

Lieut. Raja Durga Narayan Singh: I move that the demand of Rs. 41,740 in respect of the item regarding travelling allowances at page 98 of the Detailed Estimates be reduced by Rs. 9 000.

In making this motion I want to know from the Director of Agriculture why this amount under the head of Travelling allowance has been increased by about Rs. 9,000. As my honourable friend on my right has just pointed out to me, I should like to know in what places these inspectors, for whom this allowance is budgeted, will go and instruct the people. Secondly, I wish to point out to the Hon'ble Minister that this sort of travelling allowance should not be allowed to the inspectors if they go to a district simply because to make money out of the travelling allowance, and only do some nominal work. That should not be allowed. In my opinion they ought to do substantial work wherever they go.

Mr. G. Clarke: I agree entirely with every word that has been said by my honourable friend the mover of this motion. I do not gather from his remarks that he had any objection to the actual expenditure of Rs. 41,740 under this head; but his complaint was that only 131 members of the Subordinate Agriculture Service were employed in district work. The number will be increased by two this year and proposals are under consideration for increasing by a larger amount. I would point out to the honourable member a point which he seems to have overlooked in regard to the work of the Agricultural department, and it is this, that you cannot further agriculture progress by simply increasing the subordinate staff. You must increase at the same time the number of highly trained experts. Their number is very small and that is why at the moment our progress is slow. The increase in the number of subordinate staff has been made in the past and we have reached the limit which our directing experts find it possible to control.

Rai Bahadur Thakur Hanuman Singh: But there is a large number of Deputy Directors also.

Mr. G. Clarke: There are five. But I have just pointed out that we have reached the limit of the Subordinate Agricultural Service which our directing staff can efficiently and effectively control.

With regard to the honourable Raja Sahib's remark, the increase this year is not Rs. 9,000, but is Rs. 2,050. It is not a new expenditure, but it was met by the transfer of funds from other sources in past years. The Raja Sahib drew attention to the necessity for a careful check on the travelling of the subordinate staff. I agree entirely with him, and I can assure him that the officers of department and myself exercise the greatest

possible care to see that the grant is carefully expended and that no journeys are performed which are not absolutely necessary. But I will point out at the same time that it is impossible for the five controlling officers to check and inspect the work of every one of the 132 Subordinate Agricultural Service officers . . .

Rai Bahadur Thakur Hanuman Singh : There are divisional superintendents also to check their work.

Mr. G. Clarke : It is impossible for the Director, Deputy Director or divisional superintendents to inspect every piece of work carried on by 132 officers. A certain amount of reliance has to be placed in the sense of public duty of the Subordinate Agricultural Service. If the reduction of Rs. 9,000 which the Hon'ble Raja Sahib desires is made, it would seriously curtail the activities of the department, and I would ask him not to press for the reduction.

Motions by leave withdrawn.

The Hon'ble the President : It has been brought to my notice that if we proceed discussing each and every item individually and leave general discussions on important points till we come to the end, there may, as unfortunately past experience shows, be no opportunity of discussing policy at all. We can, however, discuss general questions of policy connected with each sub-head when we come to motions under that sub-head. These come early and we shall have an opportunity of discussing them. For instance, there are motions Nos. 25, 26, 27 and 28 on cattle-breeding. We can have a general discussion on this question while taking up these motions. Similarly, there is the important question of agricultural experiments and demonstrations which is of general interest. There are four or five general motions about this. Again, in the case of agricultural education there are several general motions. We will certainly reach these sub-heads, and opportunities can be found to initiate a general discussion, particularly under agricultural experiments and demonstrations, which cover questions of general expansion. I think the House has no difficulty in initiating a general discussion in the manner suggested by me.

Rai Bahadur Thakur Hanuman Singh : I beg to move that the demand of Rs. 2,750 in respect of the item regarding divisional superintendent at page 24 of the Detailed Estimates be omitted.

A new post of the divisional superintendent is proposed to be created. We do not know how the services of this new officer will be utilized and by what amount the work has been increased which makes it necessary to give an assistant to the Deputy Director of the Cattle-Breeding department. The question of improvement in the breed of cattle is one which should engage the mind of the department as well as of the general public.

The Hon'ble the President : There is a general motion about cattle-breeding later.

Rai Bahadur Thakur Hanuman Singh : Very well, I will deal with this question later. I hope the honourable the Director of Agriculture will give reasons for which the new officer is required during the coming year.

Maulvi Muhammad Obaid-ur-Rahman Khan : I want to know what is the necessity for the creation of this post of the divisional superintendent. I further wish to know as to what this department has done and what future programme they have before them, so that we may decide whether there is any necessity of creating this post or not.

Babu Damodar Das : I am not opposed to this department of cattle-breeding, but I am opposed to any increase in the superintendent staff, which is not justified. As far as I know this department keeps about 300 or 400 bulls, and there is a Deputy Director and eight inspectors, overseers and clerks. I fail to understand that there is so much work in connection with these three or four hundred bulls that these men cannot deal with it. Besides there is a veterinary man who also must be looking after them. Then there are menials and other people. In the dairy at Aligarh and other places you will not find so many men, but in a Government department we always find so many clerks and other people. Now it is proposed that one more man should be appointed, viz., a divisional superintendent. I fail to understand what he is going to do. I therefore oppose his appointment.

Mr. G. Clarke : It will perhaps be best if I deal with the staff of the cattle-breeding section. It consists of one Deputy Director who is the controlling officer, four cattle inspectors on Rs. 100 and less per mensem and two farms superintendents on Rs. 110. The Deputy Director is responsible for the improvement of the cattle of the United Provinces. The urgent need of this department is, as in other sections of the department, expert directing officers. Now I put it to the honourable members whether public interest in the important question of cattle-breeding is likely to be stimulated if the expert advice which the zamindars and others get is limited to that given by four cattle inspectors getting Rs. 75 or Rs. 100 a month. The Deputy Director of cattle-breeding cannot do justice to all the demands that are made for expert advice. He cannot be all over the province at once. That is a physical impossibility, and there is no other officer at present in the department with sufficient training in cattle-breeding to undertake responsible work. No provision whatever exists for leave or emergency vacancies. When one of these occurred last year, we had the utmost difficulty in securing an officer who could carry on the work during the Deputy Director's absence, and I will ask the honourable member who spoke last, whether he considers it satisfactory, when it is proposed to spend Rs. 69,000 on cattle-breeding and even more in future, that the Government should not take the ordinary precautions for continuity of control, which any commercial firm would deem necessary. The honourable member said that in order to look after about 500 head of cattle one officer is quite sufficient; and in this connection I would like to point out to him that this is only a part of the work of that officer. There are many questions which are taken up by the United Provinces Committee which require elaborate and careful investigation before a reliable opinion can be given. Propaganda is also required, and has been initiated in many parts of the province; and in fact if any progress is to be made in this direction, it is essential that the department should endeavour to come directly into contact with those who are concerned with agriculture. I will therefore ask the honourable members of this House not to press for the reduction.

Kunwar Jagdish Prasad : The first point which I wish to bring to the notice of the House is that the whole of the work of the cattle-breeding section has now been transferred from the Veterinary department to the Agricultural department, and consequently the latter is solely responsible for cattle-breeding operations.

The second point is, that when this section was under the Veterinary department, it had an officer, called the Farms Officer, who was getting a pay of Rs. 560 per mensem. That officer is no longer in employment, and all that is proposed is to create another post to replace him.

The third point is that the matter was placed before the Finance Committee and was approved by it before being brought up in the budget. My honourable friend, the Director of Agriculture, has already informed the House that great interest is now being taken in cattle-breeding, because of late many inquiries have been addressed with regard to the adequacy of grazing grounds, the increase or decrease in the number of plough cattle and the establishment of dairies in municipalities and rural areas.

Under the circumstances I trust the House will not grudge the post.

Motion negatived.

Lieut. Raja Durga Narayan Singh : I beg to move that the demand of Rs. 8,100 in respect of the item regarding travelling allowances at page 94 of the Detailed Estimates be reduced by Rs. 2,000.

Only the other day I was informed by the Government that travelling allowance is not a source of profit, and consequently in order to ensure a strict check on the travelling allowance bills of officers, I would request the Hon'ble Minister to accept this nominal reduction. Besides, considering the financial situation of our province, it is very necessary that we should effect savings in every manner possible.

Rai Bahadur Thakur Hanuman Singh : I rise to add a few words to what has been said by my friend Lieut. Raja Durga Narayan Singh. It is the general belief, specially on this side of the House, that the amount spent on travelling allowance is not commensurate with the benefit which the travelling of officers brings in. For the travelling expenses of the Agricultural department I find, Sir, that Rs. 1,82,645 has been provided. This appears to me too big a sum. Of course this small sum which is under discussion is included in the total amount. With this large amount provided in the budget for the travelling of officers we find that the country is not deriving a proportionate benefit from the amount which is paid to these travelling officers. It is also known to us and the Government officers also that there are certain officers who go to places not with a view to do any work but with a view to make travelling allowances. They go by one train and return by the other and they put down in their diary something so that on inquiry their immediate officers may know that the officer has been doing his duty and he has well earned his travelling allowance. A very close scrutiny and a very close supervision on the travelling of these officers are very necessary. Otherwise I may be permitted to say that a large portion of the amount that is spent on travelling allowance is wasted.

Mr. G. Clarke : The increase under this head is of Rs. 1,590. This increase represents Rs. 1,000 for the United Provinces Agricultural Service officers and Rs. 500 for the travelling allowance of the United Provinces Cattle Committee. The United Provinces Cattle Committee has been one of the most energetic and most useful of all our departmental committees, and I do not think that the Council or the mover of this motion or other honourable members who have supported the motion would

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like to reduce the activities of the United Provinces Cattle Committee in any way. The effect of this reduction would be a decrease in the activities of the United Provinces Cattle Committee as the travelling allowance of members is met out of this grant. The general question of the control of travelling allowance is one which has attracted my attention very considerably. In almost every case it is checked by controlling officers and the travelling allowance of controlling officers is checked by myself. It is perfectly impossible to check every amount spent, but I can assure honourable members that a very rigid check has been kept and will be kept. Certainly irregularities have been discovered and I may assure the honourable member that they have been dealt with by myself in an adequate manner. As far as I remember there have been two cases in which severe punishment has been given, and I can assure the honourable member that I shall watch very rigidly during the forthcoming year all expenditure on travelling allowance and deal severely with anybody who makes a journey or tour which is unnecessary.

Maulvi Muhammad Obaid-ur-Rahman Khan : May I know from the Director of Agriculture whether the Deputy Director makes tours and visits places?

Mr. G. Clarke : Yes.

Maulvi Muhammad Obaid-ur-Rahman Khan : In this connection I want to bring to his notice that there is a bull at my own place. It was only once, as far as I remember, that the Deputy Director graced that place with his presence, and as a matter of fact he stayed there only for a few hours. Since then, though it is five years, he has never cared to go to that place. I do not know the cause of his not caring to visit this place and looking after the work as carefully as he ought to do.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I was very much impressed by the criticism about these officers who travel about the province and about the control that should be kept over them. I am going to ask the Director of Agriculture to ask all those officers to prepare a diary and to submit it to higher authorities so that we may know exactly where a particular officer has been and what he has been doing. The honourable members of this House are quite right in saying that possibly they are not doing their duty.

Lieut. Raja Durga Narayan Singh : Was this not the practice before?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I am not aware. The practice at present is probably that they do not submit any diary to the Director of Agriculture but to their immediate superior. They will now be asked to prepare a diary and send it to the Director of Agriculture or Deputy Director of Agriculture so that they may be able to keep full control over them.

Lieut. Raja Durga Narayan Singh : I beg to withdraw my motion.
Motion by leave withdrawn.

Lieut. Raja Durga Narayan Singh : I beg to move that the demand of Rs. 10,000 in respect of the item regarding purchase of bulls and machinery, etc., at page 94 of the Detailed Estimates be reduced by Rs. 4,000.

Sir, I want to inquire in this connection where these bulls will be kept, what new machinery will be purchased, and for what purpose? In my opinion if these bulls are handed over to district boards, then I think they will do a good to the public. It is no use keeping them in the demonstration farms. I know that some district boards are intending to purchase bulls and keep them in cattle pounds, but the boards are not in a position to buy these bulls in so large a number as to suffice the needs of big centres where these pounds are situated, but if the Hon'ble Minister will help the district boards and give them some bulls, I think they will prove of great benefit to the public.

Raja Jagannath Bakhsh Singh : In this connection, Sir, regarding the purchase of bulls I think I can correctly connect the question of the supply of bulls also. It is on this subject that I want to draw the attention of the Government. The demand for bulls in the rural areas is very great. Up to now the supply has been through the district boards. I think this is not a very successful way of supplying bulls through the district boards. I should ask the Government to take some other measures to approach the public directly apart from the district boards and to supply bulls where bulls are necessarily required. There is one very great difficulty at the present time for private individuals in obtaining bulls. For instance, a man wants a bull for his own cattle farm and he applies to the cattle-breeding farm. They say he will have to wait till a wagon load of bulls are applied for from that district, or that he will have to pay a very high rate for conveyance of that bull. I think that the rules should be reconsidered by the Cattle-Breeding Committee regarding the supply of bulls, and that frequent supply of bulls should be undertaken in the districts, particularly where much interest is taken in cattle-breeding. This is my only object in drawing attention of the Government to this matter.

Thakur Sadho Singh : I just want to say a few words on this matter. The supply of bulls which are really needed in the province is too small, I should say infinitely too small to cope with the demand, and particularly bulls of higher breed. I very much doubt if one cattle farm at Muttra can ever supply anything like the normal demand for these bulls, and at the present rate some 75 bulls are available for all the districts. It is no use insisting upon this cattle farm alone. It will be more economical and far better to have a small cattle farm attached to every experimental farm or demonstration farm. As the cattle-breeding industry is the next greatest industry after agriculture, which owes its very existence to it, due consideration should be paid to the real demand of the people. It is very necessary that a very large number of bulls should be supplied to the people and by a far cheaper method. As for the farm in Kheri district, I very much doubt if there is very much use in expanding that farm or similar farms, because bulls of that variety are not so much required, and even bulls from that locality develop far better in other localities than in that very district. It is of the utmost importance that development of milch cows and milch buffaloes should be primarily aimed at to supply abundance of cheap milk and for cheaper efficient bullocks for every home.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I admit that the criticism levelled by the honourable members here is quite correct—that is we are unable to supply all the demands for bulls—the demand is great and the supply is short. This is also given in our annual report, that

[The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.]
 we had to refuse 78 bulls this year. I accept that we should have more farms, and if this House will give us more money we will bring forward another scheme and open more farms. At present we have only two farms, and it is not possible for us to do more.

Lieut. Raja Durga Narayan Singh : May I know where these newly-purchased bulls, etc., will be kept?

Mr. G. Clarke : On the subject of purchase of bulls and new machinery I would say that it is not intended to purchase any machinery.

We propose to purchase 90 bulls, 20 of these will be reared and distributed to zamindars. Raja Jagannath Bakhsh Singh said that the supply of bulls was limited to district boards. This is not a fact. During recent years a very much larger number of zamindars are coming forward and taking bulls on loan. There are printed rules, and bulls can be taken on loan subject to certain rules. So this larger number of zamindars coming forward has made up for the falling off in district boards whose funds were low last year, and there was consequently a falling off in the number of bulls kept by district boards. This difficulty, as I said, has been met by a larger number of zamindars coming forward and taking bulls on loan. We intend to stimulate district boards this year by giving grants by the Board of Agriculture.

Motion by leave withdrawn.

At this stage the Council adjourned for lunch.

After the adjournment the Deputy President took the Chair.

Babu Damodar Das : I beg to move that the demand of Rs. 34,502 in respect of the item regarding contingencies (cattle-breeding) at page 94 of the Detailed Estimates be reduced by Rs. 10,000. I do not know how it is put here as Rs. 1,000.

Sir, I want to ask certain questions before I say anything on this motion. As far as I know the cattle-breeding farm contains a big area and some fodder crops are also raised—both *kharif* and *rabi* crops. So these crops are quite sufficient for these 500 bulls. Therefore I do not know why such a large amount as Rs. 23,000 is mentioned under "Contract contingencies."

Then as regards tents there is a demand for Rs. 9,960. I do not know what these divisional superintendents have to do with these tents. I want to know what these people are going to do with these tents and how this large sum is going to be spent.

Mr. G. Clarke : The item referred to by the honourable member under non-contract contingencies for the purchase of tents does not exist. There is no item for the purchase of tents. It is for miscellaneous contingencies. The details are: office contingencies of the headquarters office of the Deputy Director which deals with the work of the United Provinces Cattle Committee, with all the propaganda work, with the inspection of bulls, with all the arrangements for the issue of these bulls—all these expenses are included in this figure of Rs. 9,960.

Babu Damodar Das : There is the item "travelling allowance."

Mr. G. Clarke : All correspondence and all the printing connected with propaganda work, all the arrangements for the inspection and issue of bulls and the office work of the headquarters office of the Deputy Director are included in the sum of Rs. 9,960. It does not include anything whatever for the purchase of tents. I may point out that many

years ago a sum was provided for the purchase of tents and it is still maintained every year by the Accountant-General in the budget classification.

Motion by leave withdrawn.

The Deputy President : There are two motions regarding the same item by Thakur Sadho Singh—motions Nos. 25 and 26.

Thakur Sadho Singh : They are not in respect of the same item. I do not propose to move No. 25, but I wish to move No. 26. I have already said . . .

The Deputy President : Will the honourable member move it?

Thakur Sadho Singh : I beg to move that the demand of Rs. 68,768 in respect of the item regarding cattle-breeding at page 94 of the Detailed Estimates be reduced by Rs. 1,000.

The object of my motion is to draw the attention of the Government to give particular attention to this item. This is one of the greatest of industries in the province after agriculture. I have already spoken something upon this subject. But this is a matter which requires very serious attention of the Government. Much improvement which will be of great benefit to the public can be effected very easily within a short time. The method of improving cattle-breeding should be made more adaptable to local conditions of agriculturists. At the present time there is an exceedingly small supply of these bulls, and, moreover, information about improved methods of breeding cattle does not reach the people sufficiently as so very little of it is known to the people. In many places pasture lands have got to be preserved to a certain extent at least by the Government. Indiscriminate slaughter of cattle has also got to be regulated by the Government, at least up to the extent to which it is done in European countries and a good deal more even which is quite easily practicable if they care to do it.

Mr. G. Clarke : It is undoubted that in the interests of agricultural and economic progress in the United Provinces the activities of the cattle-breeding section of the Agricultural department should be increased. I obtain almost every day evidence of this demand from all quarters. The honourable mover of this resolution has made a few criticisms with regard to the work of the cattle-breeding section, but I would remind him that every detail of the work of the cattle-breeding section is carefully considered by the United Provinces Cattle Breeding Committee, which is an influential body, the members of whom all have a very wide experience on matters relating to cattle-breeding. Our programme of works was also carefully considered by an All-India Conference which met at Bangalore and it received their general approval. It is true that breeding operations in the United Provinces are on a lesser scale than they are in the neighbouring province of Punjab. When the cattle-breeding section was taken over by the Agricultural department in the year 1920-21, work was started on a much smaller scale than was originally contemplated owing to the difficulties which we met, difficulties relating to acquiring a large area for a cattle-breeding farm and also partly to objections which were raised at the time to expenditure on cattle-breeding. It will be within the recollection of some members that schemes were prepared involving a very large expenditure—an expenditure of at least 20 lakhs spread over a period of seven years—but that this expenditure could not be provided. I do not claim that the cattle-breeding section of the Agricultural department is doing everything that is possible in the best possible manner. I do not make that claim

[Mr. G. Clarke.]

for a moment, but I submit, Sir, that a claim can be substantiated that a very effective use is made of the small annual sum that is devoted to cattle-breeding in these provinces. I have referred to these matters in order to meet the criticism that expansion has not been so rapid in recent years as the honourable member thinks is desirable. It is to be attributed not wholly to inactivity or lack of interest on the part of the Agricultural department, but to the peculiar circumstances in which we were placed. I can only assure the honourable member that every criticism that he has offered, every suggestion that he has made will receive the full and earnest attention of myself and the officers of my department who are concerned with cattle-breeding. We will carefully consider new schemes for increasing the activities of this section in the very near future.

Thakur Sadho Singh: I wanted simply to draw the attention of the Director of Agriculture to the fact that this is an item which very vitally affects the agriculturists and their very existence.

Kunwar Jagdish Prasad: I only wish to say that my honourable friend, the member for Shahjahanpur, has drawn attention to what he justly described as a very vital factor in the rural economy, and both the Director and the Hon'ble Minister of the department are fully alive to the need for expansion in regard to cattle-breeding. As my honourable friend has just said, we are going to devote our attention to the problem in the coming year. Motion by leave withdrawn.

Pandit Bhagwat Narayan Bhargava: I move that the demand of Rs. 68,768 in respect of the item regarding cattle-breeding—total at page 94 of the Detailed Estimates be reduced by Rs. 100.

The object of my bringing forward this motion is twofold. One of them is to elicit some information from the Government on a point. In the report of the administration of the department of Agriculture for the year ending 30th June, 1924, on page 13, last paragraph, it is stated:—"Arrangements have been completed for its reconstitution. This committee has proved a most useful one. Difficult questions, such as the reservation of grazing grounds, rules for regulating the slaughter of cattle and the organization of milk supplies have been dealt with." I wish to know what practical steps has the committee taken in regard to each of these questions: whether the Government has been able to arrive at a final solution of these questions, whether the Government has devised any new schemes or has framed any new rules regarding the three matters mentioned here, whether these rules or schemes have been published anywhere for the information of the public, or whether the report of that committee regarding these questions is available for the information of the public.

The second object of my motion is to bring to the notice of the Government and of the House the decreasing number of cattle in these provinces. I would ask the Hon'ble Minister to take practical steps and to look at this point from an economic and agricultural point of view in order to improve the number and breed of cattle in these provinces. I submit, Sir, that in the year 1914-15 the number of bulls and bullocks was 72,64,501, in the Agra province. In the year 1919-20 the number went down very much. The number was 66,90,182

Kunwar Jagdish Prasad: From what document is the honourable member quoting these figures?

Pandit Bhagwat Narayan Bhargava: I am quoting from the agricultural statistics of India for 1921-22. The number of cows in the year 1914-15 was 47,12,893. In the year 1919-20 it came down to 41,26,170. The number of their young calves in the year 1914-15 was 69,20,566. In the year 1919-20 it came down to 42,53,235. This is in connection with the Agra province. The same is the condition in Oudh. In 1914-15 the numbers of bulls and bullocks was 33,49,139. In 1919-20 it came down to 32,11,315. The number of cows in 1914-15 was 21,40,721. In 1919-20 it came down to 20,84,793. The number of their young calves in 1914-15 was 26,82,523. In 1919-20 it came down to 19,33,292.

The decreasing number of cattle affects not only cultivation but also the cattle-breeding section of the Agricultural department on which great importance has been laid by the Director of Agriculture, the Hon'ble Minister and the Secretary as well. One of the results of the decreasing number has been the scarcity of milk, and that is in my opinion, one of the causes of the increasing infantile mortality in this province. The infantile mortality is 240 per thousand among males and 233 per thousand among females. The number of cattle per 100 population is only 66 in this province, which if a rough calculation is made gives an average quantity of milk per head at $1\frac{1}{4}$ chattaek. The other serious consequence of the decreasing number of cattle is that most of the land in the province is lying fallow and unculturable. I will tell you, Sir, that in the Agra province there is much culturable waste other than fallow, that is the land which though available for cultivation has not been taken up by people because in this country cultivation is generally done by means of bullocks, and as the number of bullocks is decreasing every day, the quantity of fallow and unculturable land is increasing.

The area of culturable waste other than fallow is 7,56,00,887 acres; the land which is not at all available for cultivation is 76,94,380 acres. This is in connection with the Agra province. In Oudh also the same is the condition. Culturable waste other than fallow in Oudh is 28,96,491 acres, and the land which is not available for cultivation at all is 22,25,490 acres. The net area which is actually sown in Agra province is 2,66,04,960 acres; in Oudh it is 92,05,926 acres. To this area of unculturable and uncultivated land I would like to add the area of current fallow. In Agra province the area of current fallow is 20,65,256 acres; in Oudh it is 5,51,287 acres. My point is that it is the primary duty of Government to look at this matter from the economic point of view, as the area of land which is lying uncultivated and has become fallow is also increasing. I think some gentlemen might say that the number of cattle has nothing to do with the improvement of agriculture and cultivation because we can make use of power-driven machinery. But I will submit that we have also to look to the financial resources of our provinces. As was rightly remarked by Pandit Madan Mohan Malaviya in his note on Industrial Commission, the indiscriminate use of power-driven machinery in this country cannot be successful. Pandit Madan Mohan Malaviya said—

“I appreciate the value of the use of power-driven machinery in the development of agriculture when economic conditions should favour its introduction. I do not agree with the recommendation that it should be an important function of the departments of Industries and Agriculture to encourage their

[Pandit Bhagwat Narayan Bhargava]

introduction in every possible way.' I apprehend that with such a recommendation from the Commission the zeal for promoting mechanical engineering interests and establishments may push the use of power-driven machinery without due appreciation of the economic interests of agriculturists in the present circumstances of the country. For these reasons, and because in any case the introduction of power-driven machinery will take a long time, I think it my duty to draw attention to other means of improvement, particularly to agricultural education."

On account of the fact that the area of land lying uncultivated has increased, the result has been that the yield per acre of the crops has also been lowered in these provinces. From a table given by Rai Ganga Ram Bahadur I find that "the average yield per acre of wheat in Bombay and the United Provinces was 1,250 lb., in the United Kingdom it was 1,973 lb., in Belgium 2,174 lb., in Denmark 2,526 lb." So it will appear that in these provinces the produce per acre is the lowest in the whole world. I specially draw the attention of the Government to this very important section of the Agricultural department.

Mr. Mukandi Lal: I think this subject of cattle-breeding is of very great importance. It was remarked in the opening speech of the Hon'ble Minister of Industries and Agriculture that we have in India nearly as many cattle as we have men. Though he did not say so in so many words, yet when he gave the number of the cattle as being over 4 crores it implied that we have here as many cattle as there are human beings. To my mind the question of cattle is of as much importance as the question of looking after the welfare of men, because it is on the cattle that our welfare depends. Without cattle we cannot get manure and without manure we cannot get crops, and without crops we cannot live. Further, without cattle we cannot have milk which is the primary nourishment of people. Moreover, cattle are used for plough and as draft animals; for this reason the question of cattle-breeding is very important.

We have been told by the Agricultural department that they have got demonstration farms where they keep a number of stud bulls which they lend for breeding purposes. I venture to suggest in this connection that it is not enough to keep a few hundreds of bulls, unless the services of these bulls are utilized in a proper and scientific manner. I am sorry to find a remark in the report of the Director of Agriculture that in many cases bulls are located in remote villages and are often let loose with herds in jungles. This is against scientific breeding. The bulls should not be let loose with the herds. When a bull is given out in service, the name of the village should be noted. Further, it should be recorded what has been the result of the service of that bull. It is very necessary that the same bull should not be sent to the same village again. We often complain of the leanness of the cattle in this country. The chief reason why our cattle are deteriorating is that we treat this subject of cattle-breeding very lightly and as is obvious from the mood of the House in a humorous manner. What happens in a village? Inter-breeding goes on from generation to generation and the result is that the cattle are deteriorating. It is not necessary that we must have a fresh stud bull for every village from a far off land like Montgomery or Hissar. The real thing is that if in a village the people have been using the services of a bull with a particular herd for some time, then

they should not use the services of that bull with the same herd. Bulls could easily be inter-changed between different villages. When I went to the Cawnpore Agricultural College I found that they were not keeping the pedigrees of the bulls. They seemed to be rather surprised when I put this question of pedigree to them. In my opinion it is very necessary that a pedigree of every stud bull should be maintained. And the pedigrees of the breeding cows in demonstration farms must be kept and the importance of keeping pedigrees and records of good specimens of cows and bulls must be pointed out to the people. Inbreeding should also be discouraged. Further, the Agricultural department must see as to what has been the result of crossing with a Montgomery bull or a Hissar bull or between any other breeds. I understand in Pusa cross-breeding with foreign bulls has led to exceedingly good results. I have been told that as a result of this cross-breeding one cow gives 59 pounds of milk.

If therefore we wish to increase the milk of our cows, I think it will be found useful to import bulls of milching breeds, i.e., bulls which belong to the stock of the largest milk-giving cows. To sum up, if the Agricultural department wants to be of service to the people, it is essential that it should maintain an up-to-date record of bulls. The Agricultural report is silent over the matter of manure. The only form of manure in this country is dung, which depends on the number of cattle, therefore for the sake of manure also it is essential that the Government ought to pay special attention to scientific breeding of cattle in these provinces.

Raja Jagannath Bakhsh Singh : I have no desire to criticize the honourable member who has just spoken, but I do wish to submit that before his suggestions are acted upon, the department would be well advised in first examining them. He has raised one very important point in cattle-breeding, namely, whether the bull should be allowed to roam about with the herd or should be kept in an enclosure. I believe no authoritative decision has yet been arrived at on this subject. I know of cases where the breeding power of bulls has deteriorated by their having been allowed to roam about with the herd. At the same time there are other instances where the breeding power of bulls has also decreased although they were kept in an enclosure. The one way is just as harmful for the health of the bull as the other. From my own experience I think it to be the best for the health of the bulls to allow them to roam with the herds for fixed times and keep them in enclosures for the rest of the day and night.

The honourable member has further drawn our attention to the state of affairs at the Pusa Agricultural Institute. As far as I know, they are experimenting cross-breeding between a Ayrshire bull and a Montgomery cow, not with the object of increasing the supply of plough cattle, but with the object of increasing the supply of milk. In our province the primary duty of the Government should be to encourage the supply of plough cattle, because on them depends the success of agriculture. The funds at the disposal of the Government being very limited, I would request them first to concentrate their attention on increasing the number of plough cattle.

Rai Sahib Lala Jagdish Prasad : I quite agree with my honourable friend Raja Jagannath Bakhsh Singh that it is a very important matter that bulls should be allowed to roam about with the herds. It is the public belief that unless the bulls are allowed to roam about with the herds the very object for which they are borrowed is defeated, namely, that the bulls are generally found deficient in covering the cows. I am aware of the fact that

[Rai Sahib Lala Jagdish Prasad.]

municipal and district boards and private people are loath to borrow bulls, because the bulls are required to be kept enclosed and not allowed to roam about. I hope the Government will carefully consider the question whether or not the bulls should be allowed to roam about with the herds as desired by the public.

Khan Bahadur Maulvi Fasih-ud-din : I rise to take part in this debate because in my opinion there is one very important point which has not been sufficiently discussed in connection with the question of cattle-breeding. There is no denying the fact that for the last ten or twelve years the number of cattle has been decreasing in our province, and while I hold the Agricultural department partly responsible for not doing their best in this direction, I think there is yet one other important cause which accounts for the decrease that has taken place during the last two decades, and that is the continued high rate of prices, as the result of which cultivation has reached its limit. Naturally, therefore, the pasture land has also very much diminished in the whole of the province ; and it is for this reason I think that the Government desire to take advantage of the opportunity by carrying on the settlement of land revenue. I remember when I was an official a suggestion was thrown out by the Government that some arrangement should be made for the contraction of these pasture lands. Inquiries were accordingly made by the Collectors of the districts from non-official people on the subject, but no practical steps have yet been taken by the Government in the matter. I submit that if provision were to be made in the proposed tenancy legislation, limiting the maximum amount of pasture land in every village, I for one would not object to it.

Pandit Govind Ballabh Pant : With your permission, Sir, I beg to remind honourable members of this House that the Hon'ble Minister has kindly moved His Excellency the Governor and obtained his consent for the discussion of the Excise demand today. It is already a quarter past three.

Kunwar Jagdish Prasad : There is no need for a reply if the honourable member withdraws his motion.

Pandit Govind Ballabh Pant : I do not wish in any way to interfere in the debate on this motion.

Kunwar Jagdish Prasad : I always feel greatly nervous in dealing with figures which go into hundreds and thousands. We have had a cattle census taken recently and we have just been able to obtain the figures which show that the number of calves has increased by 5,60,000 and that the number of bulls and bullocks has increased by 3 lakhs.

Pandit Bhagwat Narayan Bhargava : Since when ?

Kunwar Jagdish Prasad : Since 1920, the last census. Then, Sir, the report says that the number of donkeys is 2,79,640.

[A voice :—Has it also increased ?]

Kunwar Jagdish Prasad : That I myself wanted to know, but no information is available. But I am sure that it must have decreased. Then my honourable friend over there gave us his figures about the cultivated area. Through the kindness of Mr. Burn I have been able to get figures which go to show that the figures quoted by my honourable friend are not quite accurate. The average cultivated area in the United Provinces between 1886 and 1890 was 50,889 square miles ; between 1891 and 1900 it was 52,076

square miles; in 1903-4 it was 54,925 square miles; in 1921-22 it was 60,044 square miles. Now taking the average figures for 1886-1890 and the figure for 1921-22, namely 60,004 square miles, there has been an increase of 20 per cent. in the cultivated area. I think that my honourable friend will agree that the figures quoted by him were somewhat inaccurate.

Pandit Bhagwat Narayan Bhargava: I quoted them from books.

Kunwar Jagdish Prasad: These have also been taken from books and I will show them to the honourable member afterwards. Then, Sir, my honourable friend, the member for Garhwal, said something about cross-breeding. I know that he is an expert so far as dogs are concerned, but I do not know whether he is expert in cattle also. However, there is a difference of opinion among some honourable members, and I am afraid that when experts disagree Government will be well advised to examine the matter very carefully before coming to a decision.

Motion negatived.

Maulvi Muhammad Obaid-ur-Rahman Khan: I move that the demand of Rs. 1,02,704 in respect of the item regarding supplies and services at page 94 of the Detailed Estimates be reduced by Rs. 33,845.

By moving this reduction I want to raise the same objection which I raised a year ago, as I find that the matters are the same as they were last year. If honourable members will turn to page 94 of the Detailed Estimates they will find that under head Agricultural experiments and demonstrations—Supplies and Services, there is an item of demonstration works for which last year Rs. 26,500 were budgeted and in this year Rs. 44,900 have been budgeted. Sir, the question is what these agricultural farms are doing and what they have done for the improvement of agriculture in these provinces. As far as I know they are making only experiments, and it may be said that some very good seeds have been found out and those seeds may be of some good, but I want to know what measures have been adopted to induce the cultivator to sow those seeds and reap benefit from sowing them. I know that in Aligarh when there is any fair they bring some implements and seeds about which they say that they have made great progress and they are shown to the public, but up to this time the cultivator has not benefited by them in any respect in any district. What I want to press on the attention of the Agricultural department is that they should take such steps which will have the effect of introducing such useful changes in the present conditions and which will ultimately prove useful to agriculture in general and beneficial to tenants.

Nawab Muhammad Yusuf: I understood from the Hon'ble the President that my motion No. 65 could be taken up along with agricultural experiments. I am not sure whether I could understand him rightly, but I want to know whether I can move my motion now.

The Deputy President: Motion No. 65 is under a different head altogether.

There is a motion standing against the name of Babu Bhagwati Sahai Bedar in connection with the same item. Will the honourable member move his own motion or support the one before the House now?

Babu Bhagwati Sahai Bedar: I am willing not to move my motion provided the honourable mover does not withdraw his motion at the

[Babu Bhagwati Sahai Bedar.]

eleventh hour. Sir, the services of bulls being over, let us turn to the activities of John Bull regarding agricultural experiments and demonstrations.

The Deputy President: I take it that the honourable member does not wish to move his own motion.

Babu Bhagwati Sahai Bedar: I beg to move that the demand of Rs. 1,02,704 in respect of the item regarding agricultural experiments and demonstrations at page 94 of the Detailed Estimates be reduced by Rs. 10,000.

Sir, as cinemas and theatres, I think, demoralize a nation, so these agricultural demonstrations demoralize villagers. What do they demonstrate? I will give you some concrete instances in this connection, and I will try to satisfy you on this score. They put up a magic lantern and show the villagers that a white-ant after taking a number of summer-saults becomes a butterfly and after some time becomes a grasshopper and from a grasshopper turns into something else, and then it strikes at the very root of the plant and the plant dies, and so on and so forth. Such are the things that are shown from the magic lantern. Again, they show us the shape and size of *banjar-tor hal* and *patthar-tor hal*. Well, these things cannot in any way be serviceable to an ordinary kisan. Of course, I would have liked the idea if things familiar to the villagers would have been shown in such demonstrations. Improvement no doubt is necessary, but working something on quite different lines is something quite different. It is said that those ploughs and those *hulls* and implements that have hitherto been used by Indian farmers are absurd and of no use—only Meston plough and Watts plough should be used, since they would dig deep into the soil. I do not know how far it is true, but, so far as I know, these things are suited to places like England, Scotland and Wales where there is a hilly soil and factories to repair these implements within easy reach of an ordinary cultivator, but of course in India only where there are barren soil they are needed. Otherwise for ordinary soil the ordinary ploughs are quite serviceable. Sir, on these and such things the money of the tax-payers is being wasted. I would advise the Director of Agriculture and the Hon'ble Minister that he should procure at least Rs. 10,000 worth of mahua cake, distribute it among the farmers and explain them its use. I am sure this will improve their cultivation considerably. But by the by the Hon'ble Minister cannot do that because he is member in charge of Excise department as well and he has to preserve mahua for manufacture of liquor. Sir, I would have been very glad had this Rs. 40,000 been applied for opening a mill to crush bones in order to prepare manure. Dead animals are very frequent in India so far as I know and as appeared from the statistics just placed before us. So, Sir, under these circumstances I think much better work can be extracted from the amount that is being spent in this direction, and I hope every member of this House will agree with me and will bear me out and support my motion or the motion of my friend Maulvi Obaid-ur-Rahman Khan if that is not withdrawn.

Raja Jagannath Bakhsh Singh: You are not closing the discussion on demonstration and experimental farms?

The Deputy President: Would the honourable members like the debate closed?

Raja Jagannath Bakhsh Singh : No.

Pandit Govind Ballabh Pant : My desire for information has to a large extent been satisfied by looking over the pages of the report that has just been supplied to me by the Education Secretary. It is a report written in a concise manner and covers all the activities of the department. I want only to put one or two questions. Firstly, I want to know what has been done in respect of the Jeolikote demonstration farm. It was decided some time ago that the farm should be closed. I do not know if anything has been done in that direction, and, if not, what the Government proposes to do in respect of that farm? I may say that if the Government has any intention to keep a demonstration farm in the hills then Jeolikote is not a suitable place because it is at a very low altitude and crops that can be grown there would not suit a higher altitude. Then I want to know if the department has any intention of making its existence known to the villagers in the hills by showing them anything in the form of demonstration or experiment or anything else?

Kunwar Jagdish Prasad : What about what Mr. Bedar said?

Pandit Govind Ballabh Pant : Mr. Bedar only insists on this, and, I think quite rightly, that the standard adopted by the department should not be altogether beyond the reach of the villagers and that the implements that are used and the methods that are adopted should not be so very perfect and exquisite as not to be attainable by the villagers. There should be some sort of adjustment between our present methods and the conceivable progress that can be made by the villagers if they are inclined to benefit by these demonstration farms. Then I want to know definitely if the Government has made up its list of demonstration farms. The criteria were, I think, fixed some time back and they were that so far as experimental farms were concerned we did not expect them to yield any profit, but so far as the demonstration farms were concerned, unless they yielded some profit ordinary agricultural classes cannot be expected to adopt the methods obtaining there. And I should like to have a definite list from the Government of the demonstration farms which it intends to open. Then I would suggest that, in order that activities in this line may be extended, the department should divide the province into different circles and concentrate in respect of specific crops in particular demonstration farms so that the activities through those farms may extend in those particular areas. My suggestion is that a survey be made as to which sort of crops are likely to flourish in any particular area and after that first preliminary discovery has been made or some definite conclusion has been reached in that connection, then the department should concentrate both in the matter of experiment as well as demonstration within that area in respect of that particular crop. I do not mean other crops to be excluded, but that those particular varieties should predominate for which that particular area is specifically congenial. Then I would like to know if the department gives grants-in-aid? Whether they are giving to those people who want to start demonstration farms on their own account any aid? After all the activities of the department must be limited and restricted, they cannot start a demonstration farm in every tahsil or in every circle or pargana forthwith. If that method is adopted it may prove useful—the thing would be to place departmental officers at the disposal of private individuals. I know this is being done to a certain extent—and along with that grants-in-aid should be given to those people who want to start demonstration farms on their own account.

[Pandit Govind Ballabh Pant.]

And I also wish that records may be kept so far as it may be possible of private demonstration farms, so that these results may be published and it may be made known to the public that activities of this character are conducted by private individuals on their own account and are of some advantage. Then I wish to know if the department has any scheme for this year as to what amount it is prepared to give by way of grants-in-aid, how many new demonstration farms it proposes to establish and where, and which particular crops it intends to concentrate upon.

Raja Jagannath Bakhsh Singh : I have got a motion of mine on this subject, but I think as the discussion for the general policy of the demonstration and experimental farms has begun I should take this opportunity of joining with the honourable members.

The Deputy President : Then I take it motion No. 35 is not to be moved?

Raja Jagannath Bakhsh Singh : No. I listened with very great attention the informing speech of the Hon'ble Minister delivered by him while introducing this demand. I have from time to time brought before this House the points that I think necessary in connection with the improvement of agriculture in these provinces. It is not with a view to criticize the Government for the sake of criticism that I make any suggestions today. I know that the Government is doing what is possible for it to do in the present financial conditions. I know further that the Director of Agriculture, as has already been referred to by the Hon'ble Minister in his opening speech, is a very zealous officer. He has got all-round experience in agriculture, and possesses special knowledge of certain important crops. I know that he is doing his best under the circumstances. At the same time I should not fail to point out to the Government and to the House generally that the policy of the Government at the present time, as far as agriculture is concerned, is one of stagnation. I do not know what progress worth the name has particularly been made in the last four years. The policy of the Government has been from 1921 onwards one of making the demonstration farms pay. It was found that the demonstration farms the Government had were not all paying and were not paying well. The Government then came out and promised to the House that they would direct their officers to concentrate their activities on making all the demonstration farms pay. I also heard the Hon'ble Minister then saying : either a farm will pay or it will be closed—this will be the policy of the Government. I beg to submit, Sir, that this is not a progressive policy for the Government to adopt as far as the Agricultural department is concerned. There is no doubt that a farm can pay, and can very easily pay. There can hardly be a question of the failure of a demonstration farm—that it will not pay even the actual expenses incurred on it. I therefore submit that if this policy continues at the present time, it requires revision. What, I submit, is that the Government should adopt a policy of expansion as far as the demonstration farms are concerned—that they should have model demonstration farms which may suit the requirements of the average farmer in the country, who wants to go in for agriculture—that they should make that model farm efficient with all the necessary machines and bullock power that can be profitably used in the province—that such model farms should be opened at least one in each division, if not in each district—and these farms should not consist of very

large areas. The chief object of the Government in running these model farms should be intensive cultivation. It is evident to the House and more so to the Government that the demand for land is increasing every day and owing to certain reasons which it is not necessary for me to enumerate today, men who are not generally inclined towards agriculture are taking to that profession now. That the area of holdings is reducing day by day is not a doubtful point. Under these circumstances it would not be a successful policy for the Government to adopt to run their big farms without taking particular care for their production. I should therefore like to draw pointed attention of the Government to adopt a policy of intensive cultivation and not that of extensive cultivation. I should also like to hear from the Government as to what they have to say about this policy and if they have made any experiments in this direction in the past. Then I would like to emphasize the point raised by my friend Pandit Govind Ballabh Pant, that proper account should be kept in these model farms; but, as far as I remember, he pointed out the necessity of keeping accounts of private farms only. In this connection I would like to say that there is greater necessity of keeping clear accounts of these model farms. If you are going to demonstrate a thing to the public let them have a clear idea that it is a paying business. It will not suffice if you only tell them that your farms are paying their way. They should have figures to know as to how and what dividend they pay on the capital expenditure. The necessity of keeping accounts has been pointed out in this House some time back. I certainly emphasize that point today. I am aware that the time today is more valuable than it has been, and I shall therefore try to be as brief as possible on this subject. I would like to remind the honourable members that this is a department which is of no less importance to the public at large in these provinces than any other department of the Government. In hurrying up my speech I would like to point out one more point, and that is the fodder question at the present time. Every one of us who is concerned with agriculture is aware that the fodder difficulty is growing greater and greater every day. You may be able to postpone the improvement of cattle-breeding for some time, but you cannot postpone the question of cattle-feeding to any time. The postponement of the latter question means death to the animals concerned. As I have already shown that there is greater demand for the land and that the holdings are getting reduced, consequently I would also like to say that there are hardly any fodder grounds worth the name existing today. It has been pointed out that the zamindars should make arrangements for the fodder needed for the cattle in the village. I say, Sir, and I say with practical experience and with emphasis that the zamindar could be of very little help in this matter. The Government will have to train and teach the people to the Western method of producing fodder and keeping their animals fed by that. The waste lands, the "charis" or grazing grounds are not enough today and will not be enough in future. The agricultural policy cannot rest on the grazing grounds that are today. I should therefore like to know from the Government as to what their activities are in the matter of fodder supply and cultivation. The chief point for experimental farms is to find out, to discover some useful fodder which can be popularized among the people, which can be grown at less expenditure and produce better results and which can give more harvests at less expense and would suit to the conditions of the province and the health of the plough as well as milk cattle.

With these few remarks I support the motion.

The Deputy President : It seems that the decision of Raja Jagannath Bakhsh Singh in leaving his own motion and speaking to the motion before the House is a very commendable one, and I should like to ascertain if other members who have similar motions would adopt the same course.

Rai Bahadur Thakur Hanuman Singh : I will speak on the motion under discussion and withdraw my motion No. 33.

Babu Damodar Das : I will withdraw my motion.

Lieut. Raja Durga Narayan Singh : I want to say a few words in this connection. I find that under the head "Agricultural experiments and demonstration farms" there is an increase of Rs. 18,000. So I want to know from the Government what sort of and where they will have these experiments. Will it be done at Cawnpore or any other place? The second thing . . .

Khan Bahadur Maulvi Fasih-ud-din : That is exactly my motion.

Lieut. Raja Durga Narayan Singh : The second point that I wish to suggest is, that instead of locating these farms in big cities, if they are located in big villages, then I suppose the tenants will generally come to see farms and will take lessons from them. It is very hard for a tenant to come from Muttra to Cawnpore to take some lessons from these farms. It has already been discussed in this House that these instructors do not go from village to village, but practically choose one or two villages where they go and in this way, I think, there can be no improvement in modern agriculture.

There is another item "minor works to be carried out by the Agriculture department." In this item there is some increase also. I want to know where are these minor works and what progress have they made during the year.

Lieut. Raja Durga Narayan Singh : Much of what I wanted to say has been said by those who have preceded me. My friend Raja Jagannath Bakhsh Singh while speaking on this motion said that the Government is doing what is possible to do. I am of opinion that the Government should do what is profitable to do.

Raja Jagannath Bakhsh Singh : I said under the present financial circumstances.

Rai Bahadur Thakur Hanuman Singh : The question of farms has been discussed in this Council for over four years, but I find that the department has not been able to improve the conditions in which they were before these four years. The farms were being run at a loss when the Reformed Council first began its sessions and they are being run at a loss even now. There might have been improvement in a few farms, but that does not prove that there has been general progress in these farms. Now, Sir, people who desire to take to improved methods of cultivation do not gather courage to adopt these measures and they find that the farms under the Government are being run at a loss and the farms of the landlords are also being run at a loss. In this way, instead of being encouraged they are being discouraged. The cultivators in the villages are very very knowing. They do not take up a thing which they find will not be paying to them. I know that there is a farm at Ballia and since its inception it has never been paying and I daresay it will never be paying. Now, how

is that being cultivated? The soil is very poor. It is intended that the people should go and take instructions from the inspector who remains there. People do not like even to turn their eye towards that farm because they know that it is a losing concern, and how do you think that farm is run? Two or three or four bullocks are kept there. They were to be sent to Bijapur and not to be kept in the farm. Then there was a cart which if it were mine I would have burnt in the Holi.

Well, I now come to the Rae Bareli farm. Though it is not so bad as the Ballia farm was, but I think the Government is not getting much profit from it. It is quite close to the Collector's court and hundreds of tenants pass by that way but no tenant cares to go to the farm to take lesson or to learn something from it. The area is very small and a well-paid inspector or superintendent remains there. I have not looked into the figures whether it yields any profit or not; but I think it must be running at a loss. What is the good of maintaining these farms which instead of giving any encouragement to the people are a discouragement to them?

Then, Sir, I come to private farms. On the advice of the Government certain landlords have opened farms and of considerable area also, but they too are not very very paying. I know of the Kurri Sidhauhi farm which is very well known to the Government as being run on a very satisfactory footing. But I know, Sir, that it is paying too little profit to be worth maintaining it. My friend Raja Jagannath Bakhsh Singh was speaking on the farms, but I am sorry he did not make any mention of his own farm, whether it is being run at a loss or profit. It must be too small to encourage people. Well, I think the losses are due to the fact that the Government, according to its policy, suggests everything on a very high standard which proves too costly to be made. If the standard be lowered and these farms be run on lines midway between the Government standard and the indigenous standard, then I think it will prove profitable and at the same time it would attract people to take up improved cultivation. With these few remarks I hope the Agricultural department and the Hon'ble Minister will see that the money which is spent on these farms should do some good commensurate with the amount.

Mr. Muhammad Aslam Saifi: When I listened to the speech of my honourable friend Pandit Govind Ballabh Pant I noticed a remark regarding private demonstration farms. He suggested that Government should render some financial assistance to them. My information is that the department at the present moment extends no financial assistance to either private demonstration farms or experimental farms. I know of an experimental farm in my own district, but it is a private farm. So far as agriculture is concerned, the district of Meerut is one of the biggest districts of the province, but the Government has had no demonstration or experimental farm there for the last eighteen years. I will, therefore, suggest that for the present the Government should at least give financial help for experimental purposes to that private farm. I think the Government ought to do this seeing that for such a long period they have not been spending any money at all in this direction.

With regard to the demonstration and experimental farms of the Government I may point out that I have very carefully perused the report which was presented to me by the Director of Agriculture. Usually it is my

[Mr. Muhammad Aslam Saifi.]

experience that the publications of the various departments of the Government are not given to the members of this House and therefore we often find ourselves ignorant of the activities of the various departments. As regards the revenue accounts of these demonstration farms, I notice a somewhat remarkable thing, which is given on page 11A. In one of these accounts both profit and loss are shown with regard to one item, viz., a profit of Rs. 1,343 and also a loss of Rs. 2,518. I think there must be some mistake and the Director of Agriculture will look into the matter.

With regard to improved implements in a province where, as was pointed out by my honourable friend Kunwar Jagdish Prasad, 60,000 square miles are under cultivation, we find that the improved ploughs distributed are 1,327. It is said that the methods of agriculture as employed in our country and in these provinces are primitive and extremely crude. The department of Agriculture employs engineers who are thoroughly conversant with the up-to-date scientific knowledge of agriculture and yet they have not been able to invent such implements that they may be used not only in thousands but in millions. Although 75 per cent. of the population is engaged in the occupation of agriculture, yet the number of improved implements used is so small.

My friend, Mr. Bedar, referred to manure and he suggested that mahua cake might have been used for manuring purposes. I notice on page 2A that this mahua cake has actually been used for manuring purposes, but the value of this manure is only Rs. 86. I think that the suspicion of my friend, Mr. Bedar, might have some foundation.

But before I sit down I should like to associate myself with the Hon'ble Minister of Agriculture who has congratulated our Director of Agriculture. As soon as the Director noticed that I had a keen interest in agriculture, he immediately sent one of his local inspectors from Bulandshahr and eventually induced me to go in for some sort of experiments with regard to Java sugarcane. He is very enthusiastic and energetic and is thoroughly devoted to his department. I therefore want to express my thanks and I hope the House will join me in thanking him.

Mr. G. Clarke : This debate has taken a most bewildering turn. The grant for agricultural experiments and demonstration farms is a miscellaneous grant, under which the Accountant-General lumps together accounts which cannot be satisfactorily classified under separate heads. It does not include any expenditure on agricultural and demonstration farms, but as most of the members have discussed the demonstration and experimental farms under this grant, which bears no reference to farms, I will, Sir, with your permission, very briefly deal with the working of the farms as well as the objects of the grant which is made for demonstration and experiments.

My honourable friend, the Raja of Tirwa, wanted to know why there has been an increase of Rs. 18,000 in the budget as compared to last year. I am glad to assure him that very little of it is new expenditure. A sum of Rs. 9,400 was transferred from the demonstration farms, when it was discovered that the Deputy Director was using it for other purposes.

[At this stage the Hon'ble the President resumed the Chair.]

Then a sum of Rs. 3,000 was transferred to this item from another head of account, steam ploughing, which my honourable friend, Raja Jagannath Bakhsh Singh, was unable to discover. The new expenditure, which I shall shortly explain to the Council, is only of Rs. 6,000. This disposes of the increase under demonstration works. There is yet another item

which, I think, requires detailed explanation and that is the sum of Rs. 30,744, which has increased by Rs. 9,185 as compared with last year. This increase is due entirely to the provision for petty repairs of the buildings which under the Public Works Department Reorganization Scheme were transferred from the Public Works department to my charge. Rupees 1,300 of the grant of Rs. 30,744, however, is to be utilized partly for constructing a new building and the superintendent's quarters and the re-roofing of a building or two.

Having thus disposed of tiresome figures, I will now proceed to deal with the item which appears to have aroused the greatest interest, namely, Rs. 44,900 for demonstration works. My friend, the honourable leader of the nationalist party, made a bewildering number of points with great rapidity. I tried to follow him, but I was unable to take down all the points, as I am not so practised in the art of debate as he is. I shall, however, attempt to deal with such of them as I remember, and, I trust, to his complete satisfaction. The first point that he raised was about the district demonstration farms. If he will turn to page 7 of the annual report of the Agriculture department, he will find a complete list of demonstration farms which are expected to pay their way. There are fifteen of them, and last year we secured a profit of Rs. 12,000 in respect of them. This year the revised estimates show that the receipts under this head will go up considerably. I am not, however, satisfied with it, and by tightening up the management and supervision it is hoped to secure even better results.

Pandit Govind Ballabh Pant : Will the expenditure under demonstration and agricultural farms be shown separately in future ?

Mr. G. Clarke : The budget is prepared by the Accountant-General under the direction of the Controller-General, and I am not in a position to say whether he will agree to alter the form of the budget.

With regard to experimental farms, a very interesting fact emerged this year. Several of the farm advisory committees, particularly the one in Muzaffarnagar, desired that their demonstration farms, which were bound to pay, should be turned into experimental farms, which were not bound to pay, in order that increased opportunities be given for experiment. As honourable members are doubtless aware, these advisory committees consist of influential local gentlemen, who are supposed to know more about the local needs of agriculture than anybody else. Nevertheless, they decided that it was desirable to have an experimental farm, which does not pay, and this, I submit, is a most significant fact. The other point that has been raised by my honourable friend, the leader of the nationalist party, is about a farm at Jeolikote. That farm was started as an experimental measure. The whole expenditure on this farm is about Rs. 150 a year which I do not think the honourable member will object to. We are proposing to start work at other places in the hills. We have under contemplation the formation of a hill circle and the appointment of a Deputy Director with headquarters at Jeolikote where we have buildings and equipment ready and where there will be no cost. If the honourable member thinks otherwise the matter will be considered. In regard to special farms I am in entire agreement with the remarks made by him. This is exactly what we are trying to do and that is what we have done at Shahjahanpur. We are coming up before the Council with a supplementary estimate for the establishment of a special farm at

[Mr. G. Clarke.]

Farrukhabad. I dislike to concentrate the work at one place. I prefer to spread it all over the province where these farms will become centres of agricultural activity. I was sorry to find that Raja Jagannath Bakhsh Singh found that there was stagnation in Oudh. If any one will visit the farms in Oudh he will find that there is no stagnation.

There is one point which I consider of great value and which he mentioned and which we are doing now is that the results of the department should be published and be available to the public in the manner in which they can be easily understood by them. It is undoubtedly of the greatest importance that we should increase production in India. It is no use going on as we are going on at the present time without increasing our yield which is the same as it was in the middle ages. I am firmly convinced that the introduction of scientific methods of cultivation will very considerably increase the yield and thus will increase the prosperity of this country. Another point which was raised not only by my honourable friend the Raja Sahib but by several other members and also by the leader of the nationalist party is that grants-in-aid should be given to private demonstration farms. The Government proposes to come up before the Council with a supplementary estimate amounting to Rs. 25,000 for this purpose, and if it is passed by the Council assistance will be given to private demonstration farms owned by private gentlemen, but certain conditions will be imposed. We are quite willing to give assistance to private demonstration farms, but certain conditions will be imposed. We shall ask them to lay out a definite programme of work; we shall ask them to publish the results of their experiments and to publish their balance-sheets and to allow us to inspect and audit their accounts. If these conditions are accepted, we shall be prepared to consider grants-in-aid to demonstration farms in those places in which we have got such farms. Having disposed of, with the permission of the Hon'ble the President, all the matters which do not refer to the grant under consideration at all, I hope you will now allow me to proceed to give a brief account of the actual activities for which this grant is employed. This grant provides for expenditure on conducting experiments in improved methods of agriculture on the zamindar's and the tenant's own fields in such a manner that the zamindar and the tenant incurs no expense. This is probably the most appreciated of all our activities, because we are able to show to the cultivator in a manner that at once appeals to him that our methods mean more money. During the last completed year demonstration was done—I do not wish to detain the House any longer, but this is a point that I wish to mention—on 56,910 acres of zamindars' and cultivators' own land at a cost of eight and a half annas an acre. In order to effectively dispose of all the criticisms I can develop this subject much further, but I mention this fact with a view that Rai Bahadur Thakur Hanuman Singh may know that we are doing something in villages for the cultivators, and that all our attention is not devoted particularly to headquarters and towns. Last year in very remote places far away from demonstration farms and towns we demonstrated improved methods on cultivators' own fields measuring in all 56,910 acres at a cost of eight and a half annas per acre.

Rai Bahadur Thakur Hanuman Singh: Will these operations be confined to the same areas or will they be repeated at other places also?

Mr. G. Clarke : The operations will be repeated in many places again if the grant of Rs. 6,000 is now given. We shall expand our activities into eleven more districts.

Pandit Govind Ballabh Pant : How many demonstration farms are to be opened this year ?

Mr. G. Clarke : We have none in the budget, but we propose in the supplementary estimates to include provision for one as I said at Farrukhabad for special study of potatoes and one at Bijnor for further study of sugarcane in that district.

The motion that the demand of Rs. 1,02,704 in respect of the item regarding supplies and services at page 94 of the Detailed Estimates be reduced by Rs. 33,845 was put and negatived.

Babu Bhagwati Sahai Bedar : I beg to withdraw my motion.

Motion by leave withdrawn.

Lieut. Raja Durga Narayan Singh : I move that the demand of Rs. 21,122 in respect of the item regarding engineering establishment at page 95 of the Detailed Estimates be reduced by Rs. 6,000.

In moving this motion I want to inquire why so many posts of engineers have been increased this year. What sort of activity the department wants to have in their hands ? And after hearing from the Director I will decide what I should do in this connection.

Mr. G. Clarke : This new expenditure is for increase in the staff of borers engaged in the district boring work, that is improving wells, etc. It is one extra engineer and ten borers. The activities of the district boring section are well known. Last year we bored 628 wells.

Lieut. Raja Durga Narayan Singh : There is already an increase under boring operations.

Mr. G. Clarke : An increase in boring operations is required for the equipment required by the above staff.

Pandit Govind Ballabh Pant : There are one or two questions I would like to put. I think the department charges something for boring wells and for sinking wells, and there is, I understand, some sort of fee levied for these. If it is so I would like to know what amount was earned by the department and what expenditure is incurred on this account during the year that is just closing or the year 1923-24. I also want to know why it is necessary to appoint one more engineer. I could understand an increase in the number of borers and I would not be sorry if their number was increased even more than is proposed, but I cannot understand why the number of engineers should be increased to such an extent, and I also put it to the Minister whether he considers it necessary that when they have this engineering staff for boring purposes of the Public Health department then there should be another set of engineers for the same in the agricultural circle. In fact we have too many of these engineers and we do not want so many of them.

Mr. G. Clarke : I understand that the honourable member raises two points, that is the reason for the appointment of the third agricultural

[Mr. G. Clarke.]

engineer and also he desires to know the charges made for well-boring. With regard to the charges made for well-boring I am sorry I cannot carry in my head the exact figures for the total receipts for last year, but I will have them in a few minutes and I will give them to the honourable member. But I can give him the actual charges made for improving cultivators' wells—that is we charge the actual price of the pipe put in and one and a half annas per foot for boring—it is a small sum which does not cover or anything like cover the actual cost of the work, because the principle is accepted by the Government, that Government should become responsible for developing underground water supply. The receipts estimated this year for agricultural engineering are Rs. 25,000, that is for the sale of pipes and the small charge made for boring.

The appointment of a third agricultural engineer involves the expenditure of Rs. 5,500. A proposal was made to the Finance Committee for this and it was sanctioned. It is not intended to be permanent pensionable post—it is a short-term engagement for five years. It will be advertised in India and the selection will be made by a selection committee. The item will, of course, be put down as votable and will continue to be votable. The justification for this item is that the efficient control and supervision by qualified expert is absolutely essential and it is therefore necessary to have a third agricultural engineer. This proposal has been before the Finance Committee and it has been warmly approved by them. Another point which makes it necessary to have this officer is that the work is very widely distributed—it is all over the province, and the existing staff of two engineers cannot possibly be in a sufficient number of places at once. The expenditure on the agricultural engineering section by Government amounts to 3 lakhs and as honourable members know a very large sum of zamindars' money is entrusted to the Agricultural department for investment in tube wells. It is, therefore, of great importance to zamindars and others investing money that the very best expert advice should be available and that it should be available in adequate quantity. Another point is that the officer in charge of the agricultural engineering section is a very senior officer due to retire under the 55 years rule in 1929. Tube well construction is a very highly specialized branch of engineering and it is very difficult to find engineers qualified with special training in this branch and I submit to the Council that it would be most unwise to run the risk of being left without a sufficient number of qualified experts in view of the large amounts Government is spending on this branch and in view also of the large interests concerned.

The Hon'ble Lient. Nawab Muhammad Ahmad Sa'id Khan : It seems, Sir, that my friend, the leader of the Swaraj party, is not very much satisfied by the explanation given by the Director of Agriculture about this additional engineer. I believe that he is labouring under a misapprehension. Perhaps he thinks that we are going to amalgamate the boring section of the Public Health department with the agricultural engineering section and that we will absorb all those engineers, and we shall have this one in addition to them.

Pandit Govind Ballabh Pant : I did not mean that.

The Hon'ble Lient. Nawab Muhammad Ahmad Sa'id Khan : If this is not his opinion, I think the explanation given by the Director of Agriculture is quite sufficient. If we amalgamate that boring section with our

agricultural engineering section, I think there will be some saving. We do not mean that we should absorb all that cadre and that we should have one more engineer here. Perhaps it will be possible to make this new man in charge of the whole section and with a little addition perhaps we will be able to have amalgamation.

Pandit Govind Ballabh Pant : I suggested that amalgamation. Motion by leave withdrawn.

Khan Bahadur Maulvi Fasih-ud-din : I beg to move that the demand of Rs. 20,826 in respect of the item regarding travelling allowance at page 95 of the Detailed Estimates be reduced by Rs. 4,000.

I find that this amount of Rs. 4,000 is in excess of the budget for the current year's expenditure. The travelling allowance of the engineers of the Agricultural department should not be allowed to exceed the allotment, specially in view of the fact that the rates of travelling allowance have at present been reduced. I wish to know from the department whether this increase is due to the increase in the number of engineers or other officers.

Mr. G. Clarke : The increase in this item is Rs. 4,500, and it is due to the increase in the travelling allowance. Of this Rs. 2,000 is for the third agricultural engineer, Rs. 700 for the well engineer, and the slight increase of Rs. 1,800 is for normal increase in the travelling allowances in the agricultural engineers' section. The question of travelling allowance in the Agricultural department has already been discussed at great length. The value of our expert staff depends entirely upon its mobility. We are constantly met with demands, particularly in the agricultural engineer and cattle-breeding sections. The services of these expert officers are required at distant places. There is very great dissatisfaction if this service is not quickly and rapidly rendered. Of course it entails heavy expenditure in travelling allowance. Every attempt is made to keep the travelling allowance within bounds. I scrutinized personally most of the expenditure on travelling of gazetted officers and of those whose travelling allowance came under my special care as Director of the department. I can only say that if any cut is made in this we shall not be able to fully and profitably employ the staff of this section and we shall not be able to meet the demands of the public.

Khan Bahadur Maulvi Fasih-ud-din : I have just one question to ask. Does the increase represent the allowances of the additional officer or of other officers?

Mr. G. Clarke : It represents, Sir, Rs. 2,000 for the third agricultural engineer, Rs. 700 to the well engineer and Rs. 1,800 for increase in the travelling allowance of the existing staff which had to be supplemented last year by the Council.

Khan Bahadur Maulvi Fasih-ud-din : I withdraw the motion.

Motion by leave withdrawn.

Khan Bahadur Maulvi Fasih-ud-din : I beg to move that the demand of Rs. 78,258 in respect of the item regarding boring operations at page 95 of the Detailed Estimates be reduced by Rs. 26,000. I am not against the increase in the number of borers employed by the Agricultural department, but I wish simply to elicit information as to what is being done with

[Khan Bahadur Maulvi Fasih-ud-din.]

the number of borers that is to be added to the present cadre of borers. One point that I wish to ascertain is whether the district boards also employ borers and whether precautions have been taken in order to prevent overlapping of the energies of the two institutions; what are the rules of the Agricultural department as regards constant consultation of the district boards in the matter of the employment of these borers. If the information is satisfactory I have no desire to press my motion.

Mr. G. Clarke: The first point on which the honourable member desired information was with regard to the increase in the number of borers. We propose to appoint one well engineer, ten expert borers and other borers. This will enable us to place one borer in each of 24 districts, two borers in each of eleven districts in which well-boring operations are being carried on. A staff of 52 borers has been set apart for this purpose at present. The other point raised by the honourable member was whether we were aware of the existence of district board borers. We are aware of this and we take every precaution that there should be no overlapping of work.

Khan Bahadur Maulvi Fasih-ud-din: I withdraw my motion.

Motion by leave withdrawn.

Khan Bahadur Maulvi Fasih-ud-din: I move that the demand of Rs. 43,200 in respect of the item regarding the maintenance of agricultural college establishment, houses and grounds at page 93 of the Detailed Estimates be reduced by Rs. 4,000.

I want to elicit information as to what this increase of Rs. 4,000 over the current year's budget represents. The Agricultural College is being run for the last many years and I am afraid that this increase represents the increase over gardens and some other things and not education itself. If that is so, then I would certainly oppose this increase otherwise not.

Mr. G. Clarke: The increase under this head is Rs. 11,422. The increase is made up as follows:—Rupees 1,200 for enhanced canal rates, Rs. 4,000 for the lay-out and maintenance of instructional gardens of the horticultural class which it is proposed to introduce and which, we hope, will solve the long-standing problem of training Indian superintendents for the public gardens.

The remaining Rs. 6,400 is for the increased entomological work.

Khan Bahadur Maulvi Fasih-ud-din: My objection is to the increase of Rs. 4,000 in respect of the gardens.

Kunwar Jagdish Prasad: There is no question of increase in the expenditure on gardens. This provision is made for training Indian gardeners (to which I do not think my honourable friend will object) in order to enable them to take up posts of superintendents of gardens later on.

Khan Bahadur Maulvi Fasih-ud-din: I withdraw my motion.

Motion by leave withdrawn.

Thakur Sadho Singh: I move that the demand of Rs. 2,72,498 in respect of the item regarding agricultural education at page 92 of the Detailed Estimates be reduced by Rs. 100.

I want to point out one fact to this House that, although there is an Agricultural college and school in our province, still somehow we do not find that people want to join this school or college except for getting service

in the Agricultural department. I find that this demand is really artificial. Last year I tried with several candidates but none of them liked to join it. Now it has been proposed that courses in agriculture will be introduced in some vernacular middle schools also. I do not say that this should not be done. This may prove more useful to remove some of the aversion of the educated classes to manual work and would induce them to take up an independent professional career ; but at the same time I want to say that something should be done to see that agricultural education is really becoming popular. One thing I suggest is that the passed students or diplomates from these institutions should be assisted in setting up independent holdings of their own and this will serve as a medium by which improvements in the Agricultural department could be brought more intimately into contact with the people. The other thing is about agricultural research. Very little research has been done, worth the name, during the last year. I would suggest that utilization of vast quantities of so valuable bone manures should be taken in hand earnestly by this department. A very large quantity of bones is being exported or wasted. There is another point. Something was mentioned in the annual report about extermination of the weed, *baisuri*, which is so detrimental to cultivation. I know of instances where there are whole villages suffering badly from it, and if the Government would only see that these villages are also supplied with better irrigation facilities from the Canal department, the Government would not only benefit those zamindars and tenants but even have much more than practical demonstration as to how this weed can be exterminated and a ruined village can be restored to flourishing condition. These are concrete examples and I think these concrete examples can effect far more savings for the department along with effective work.

Kunwar Jagdish Prasad : I shall only deal with the subject of the Agricultural education. I think that the House must have heard with deep regret, as I did, that the efforts of my honourable friend to popularize agricultural education have not so far been successful. If my honourable friend will tell us the methods which he has tried and which have proved unsuccessful, we shall try to avoid them and seek methods which may prove more successful. I think we are trying our best to popularize agricultural education and we shall continue to do so and we shall be glad to have any suggestion from my honourable friend as regards this matter. As regards the extermination of *baisuri* and as to what investigations have been made by the Agriculture department, I think my friend the Director will give the necessary information.

Mr. G. Clarke : The honourable member does not seem to be aware that very extensive experiments have been carried out regarding the eradication of *baisuri* in the dry tracts of Agra, Muttra and Aligarh. The Deputy Director has succeeded in designing a special plough. Wherever we tried this plough on *baisuri* it has yielded very satisfactory results. Demonstrations have been made with this plough last year and the number will be increased this year.

Motion by leave withdrawn.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : As it is the desire of many non-official members of this House and I myself think it would be advisable to appoint a committee of Co-operative department, therefore I beg to announce before the House that we are thinking of

[The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.]
 appointing a committee on the Co-operative department, the personnel of which I will announce later, because I have not selected the members as yet.

Babu Bhagwati Sahai Bedar : When is this committee being appointed?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Shortly.

Khan Bahadur Maulvi Fasih-ud-din : I move that the demand of Rs. 16,140 in respect of the item regarding the salaries of superintendents at page 98 of the Detailed Estimates be reduced by Rs. 7,000.

Sir, there is a very great increase in the pay of superintendents of public gardens, especially when we consider the fact that the number of public gardens has not increased in this province. I want to have a definite explanation of this huge increase from the Director of Agriculture.

Pandit Govind Ballabh Pant : May I ask from the Director why an Indian has not been appointed so far as superintendent of public gardens. When any officer went on one or two months' leave I have found that an European officer has been found to fill that post. Has there not been a mali competent enough to fill that post?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : As I said when introducing the budget we have appointed one Indian superintendent this year. The honourable member will find this information in the report for the year 1924.

Pandit Govind Ballabh Pant : I withdraw my question.

Mr. G. Clarke : If the honourable member will refer to page 98 of the Detailed Estimates, he will find that though there is considerable increase under votable salary there is a large decrease under non-votable salary. The increase in the item to which he is drawing attention is due to the transfer of some officers' pay from non-voted to voted salaries.

The Hon'ble the President : The honourable member must address the House and not speak to the member concerned.

Mr. G. Clarke : The other increases are due to the increase of the pay of two superintendents and the inclusion of the pay of an Indian assistant superintendent who was appointed during the year. The total increase is of Rs. 10,140. Further, there is a decrease of Rs. 2,760 on account of the transfer of the pay of one overseer to the nazul department. The net increase is of Rs. 7,380.

Khan Bahadur Maulvi Fasih-ud-din : I beg to withdraw the motion.
 Motion by leave withdrawn.

The demand as framed (Rs. 23,13,820) was put and voted.

The Council was then adjourned to the following day.

LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

Friday, 27th March, 1925.

The Council met in the Council Chamber, Lucknow, at 11 a.m. The Hon'ble the President in the Chair.

PRESENT :

The Hon'ble Mr. S. P. O'Donnell.	Lala Dhakan Lal.
The Hon'ble Raja Sir Muhammad Ali	Babu Nemi Saran.
Muhammad Khan, Khan Bahadur.	Chaudhri Badan Singh.
The Hon'ble Lieut. Nawab Muhammad	Rao Sahib Kunwar Sardar Singh.
Ahmad Sa'id Khan.	Thakur Sadho Singh.
The Hon'ble Rai Rajeshwar Bali.	Pandit Brijnandan Prasad Misra.
Mr. G. B. Lambert.	Pandit Jhanni Lal Pande.
Mr. E. A. H. Blunt.	Lieut. Raja Durga Narayan Singh.
Kunwar Jagdish Prasad.	Pandit Sri Krishna Dutt Paliwal.
Mr. G. B. F. Muir.	Babu Parsidh Narayan Anad.
Mr. A. C. Verrières.	Pandit Yajna Narayan Upadhya.
Mr. C. E. D. Peters.	Babu Dip Narayan Roy.
Mr. B. D'O. Darley.	Rai Bahadur Thakur Hanuman Singh.
Mr. S. H. Fremantle.	Bhaya Hanumat Prasad Singh.
Mr. R. Burn.	Pandit Govind Ballabh Pant.
Mr. Jwala Prasad.	Pandit Hargovind Pant.
Mr. C. M. King.	Mr. Mukandi Lal.
Mr. F. F. R. O'hanner.	Babu Ram Chandra Sinha.
Colonel A. W. B. Cochrane.	Kunwar Rajendra Singh.
Mr. A. H. Mackenzie.	Rai Bahadur Thakur Mashal Singh.
Mr. G. Clarke.	Mr. Muhammad Aslam Saifi.
Raja Bahadur Brij Narayan Rai.	Maulvi Zahur-ud-din.
Mr. H. O. Desanges.	Rao Abdul Hamid Khan.
Mr. H. David.	Khan Bahadur Chaudhri Amir Hasan Khan.
Babu Khem Chand.	Maulvi Muhammad Obaid-ur-Rahman Khan.
Babu Narayan Prasad Arora.	Khan Bahadur Shaikh Masud-uz-Zaman.
Babu Mohan Lal Saksena.	Nawab Muhammad Yusuf.
Babu Damodar Das.	Saiyid Muhammad Ashiq Husain.
Babu Bhagwati Sahai Bedar.	*Mr. Ashiq Husain Mirza.
2nd-Lieut. Chaudhri Balwant Singh.	Khan Bahdur Munshi Siddiq Ahmad.
Rai Jagdish Prasad Sahib.	Raja Saiyid Ahmad Ali Khan Alvi.
Chaudhri Jaswant Singh.	Khan Bahadur Chaudhri Muhammad
Chaudhri Sheoraj Singh.	Rashid-ud-din Ashraf.
Lala Babu Lal.	Mr. St. George H. S. Jackson.
Thakur Raj Kumar Singh.	Lala Mathura Prasad Mehrotra.
Thakur Shib Narayan Singh.	Raja Shambhu Dayal.
Rai Bahadur Babu Ram Nath Bhargava	Lieut. Raja Shaikh Imtiaz Rasul Khan.
Rai Bahadur Pandit Kharagjit Misra.	Raja Jagannath Bakhsh Singh.

MEMBERS SWORN.

Mr. B. D'O. Darley.

Mr. Jwala Prasad.

ELECTION OF NON-OFFICIAL MEMBERS OF THE FINANCE AND PUBLIC ACCOUNTS COMMITTEES.

The Hon'ble the President : The result of the election by the non-official members of the Council of members for the Finance Committee is as follows :—

Mr. Zahur Ahmad,
Pandit Govind Ballabh Pant,
Nawab Muhammad Yusuf,
Raja Jagannath Bakhsh Singh,
Rai Bahadur Thakur Mashal Singh,
Rai Bahadur Thakur Hanuman Singh,
Pandit Brijnandan Prasad Misra, and
Pandit Nanak Chand; and

the result of the election for the Committee on Public Accounts is as follows :—

Mr. Dip Narayan Roy,
B. Sangam Lal,
Khan Bahadur Munshi Saddiq Ahmad,
Thakur Manjit Singh Rathor,
Babu Bhagwati Sahai Bedar,
Babu Khem Chand,
Rao Abdul Hamid Khan, and
Chaudhri Sheo Raj Singh.

These Committees will be constituted as usual on the 1st of April.

THE BUDGET, 1925-26.

DISCUSSION OF DEMANDS FOR GRANTS.

Demand No. 23.

HEAD 8—FORESTS.

HEAD 12—MISCELLANEOUS RAILWAY EXPENDITURE.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : I rise to communicate to the Council the recommendation of His Excellency the Governor that under 8—Forests (excluding interest) and 12—Miscellaneous railway expenditure, a sum of Rs. 36,20,925 be provided, and I move that this sum be voted.

Mr. Mukandi Lal : I beg to move that the demand of Rs. 32,900 in respect of the item regarding 8A—General direction Salaries—total (formal) at page 33 of the Detailed Estimates be reduced by Rs. 9.

From the amount of reduction proposed it will appear to the Council that the motion is of a formal character—a token motion with a view to offer criticism and elicit information.

In this connection I shall deal with the Indianization of forest services. I want to bring out before you, Sir, as forcibly as I can, the question of Indianization of Forest department which is the department which first of all and above all requires Indianization. We know that the climate of our country is quite different from the climate of European countries and the flora to a large extent is quite different; silviculture

is also quite different. Therefore necessarily if there is any service which requires Indianization first it is the Indian Forest Service. It is with this view that the Islington Commission, which dealt with the question of Indianization of public services, carefully came to a definite conclusion that it was their opinion that the Forest Service should be Indianized first, and with a view to support my argument I will first refer to the recommendation of the Islington Commission as to what they thought about the Forest Service in India. They said:—"There are no considerations of policy which make it necessary to recruit in England, and the existing state of things cannot be regarded as satisfactory. The time has now arrived when, in our opinion, a beginning should be made with the system of direct recruitment to the Imperial branch in India and we recommend that a course of training be established at Dehra Dun up to the highest European standard." They went on to say:—"The Government of India should announce that not less than half the recruits required for the Imperial branch of the department will be chosen from among statutory natives of India who have been through the course, provided that, in the opinion of an expert committee, duly qualified candidates are available for appointment." Then, Sir, after this comes the report or the findings of the Lee Commission, which we know has already said that 75 per cent. of the posts in the senior Forest Service, that is to say, in the Imperial Forest Service, should be given to Indians. In spite of the recommendations of the Public Services Commission, which submitted report in 1916, and in spite of the recommendation of the Lee Commission, the Government is not carrying out their recommendations. When it served the purpose of the Government they have already taken advantage of the Lee Commission's recommendations, but Government has done nothing with regard to the recommendation relating to the Forest Service. What do we find? We find that, out of 35 posts which are reserved for the Indian Forest Service, only six have been given to Indians and 27 to Europeans. Then, again, we find that, though the Islington Commission came to definite conclusions as far back as 1916, in 1921 six officers were imported direct from England in spite of the fact that the Islington Commission had recommended that they should be recruited in India. Not only this, but in this connection there is also the question of charge of major divisions. It has been admitted by the Inspector-General also that it requires at least four years' working experience in India, before an Indian Forest officer should be given the charge of a major division, yet we find that those fresh recruits who came out in 1921 have already been given charges of major divisions. Not only that, but we find that these fresh recruits have been put in charge of those Indian officers who have put in 15 to 20 years' service and who have themselves been in charge of major as well as of minor divisions. In this connection also the Public Service Commission came to this conclusion that a major charge should be given definitely only in those cases where the officer has put in four years' service. It is stated there:—"The general view was that officers did not become qualified for such charges until after at least two or three years' training in less responsible positions. The Inspector-General gave it as his opinion that normally an officer should not be given charge of a division until after four years' service."

But in practice we find that as soon as an Imperial Forest Service man comes out here he is put in charge of a division over the heads

[Mr. Mukandi Lal.]

of experienced Indian foresters whose only sin seems to be the pigment of their colour and race. I would in this connection submit that if experience is the proper criterion, if the conditions of the Indian forests are the criterion, then only experienced officers, who are familiar with those conditions, should be given the charge of a division. Then there is another point. It was also recommended that from the Provincial Service men ought to be promoted to the Indian Forest Service. There also, I submit, sufficient progress has not been made. Then there is another class of men, viz., the rangers. The rangers rise from foresters and patrols and they have experience of forest life and Indian conditions. In spite of the recommendations and admissions of the Forest department, there is only one ranger, I believe, who has been promoted so far to the Provincial Service. I urge that more rangers should be promoted to that service.

Now, as regards the selection of candidates, I submit that there also I find that sufficient attention is not paid to the qualifications of candidates. I have already pointed out by putting a question some time ago how the selection of candidates was made last year. I pointed out that there was a candidate who stood first in the M.Sc. Examination and who had stood first in the B.Sc. Yet he was neglected and people with inferior qualifications were selected. Then there is an efficiency bar, and so far no Indian officer has been selected for the selection grade for which four selection posts were created. If all the Indian officers of the Provincial Service are unfit for the selection grade, I do not know how one of these unfortunate men, four of whom ought to have been selected for the selection grade, has recently been appointed to the Indian Forest Service. It is therefore evident that when it is a question of a higher post, Government thinks that they are not fit for it, but when it serves their purpose to patronize a particular type of man, he is selected for the Indian Forest Service. If efficiency is the test in one case, it is so in the other case also. I submit that the time has come now that more Indian officers should be promoted to the selection grade. Then comes the question of training men in the European countries. Government spent out of the tax-payer's money £450 and sent out a man (Pandit Mahimand Bahuguna) for training. When he returned, he was not employed by the Government, though he was already in Government service in the Forest department before he was sent to Europe. This is, I submit, a pure and simple waste of public money. In view of the findings of the two commissions, the Islington Commission and the Lee Commission, it is time that Government should take steps to remove the grievances of the Indian officers and Indianize the services as rapidly not only as they can but as they ought to. Even if we take the present cadre and the incumbents of the posts they are at present holding, we find that for some years to come there would be no necessity of importing any officers from European countries and therefore I urge on the Government to put a stop to any further recruitment outside. Then there is another point as to whether these posts are really meant to provide jobs or whether there is any actual necessity for them. I find that in 1919 there were only 21 or 22 Imperial Forest officers. How is it that all of a sudden in 1921 we find that there was room for 35 Imperial Forest Service officers? What is the actual outturn that they have put in and have they really added to the silvicultural progress or the revenue of these

provinces? Was there sufficient work for these ten or twelve extra men? I think there is great waste of money over these posts. It is certainly in the interest of the tax-payer that officers of the Provincial Service should be promoted to the Imperial Forests Service, instead of importing new men from Europe. I think the Provincial Service men can do as much work as possible and is necessary and there should be a limit to the increasing of the Indian Forest Service posts. The claims of the rangers should be taken into consideration and more rangers should be promoted. There should be no more direct recruitment, through the Forest College, for the Provincial Service so long as the Government has not promoted an adequate number of rangers to the Provincial Forest Service. I think the Government has to keep its pledge of providing places for the experienced rangers.

In conclusion, I would like to have a clear and unequivocal answer from the Government why no Provincial Service Forest officers have so far been promoted to selection grade of Rs. 850? I understand none has so far been selected. When does the Government propose to follow the recommendations of the Lee Commission of maintaining 75 per cent. ratio of Indian officers? In 1914 there were only 24 superior officers and now there are 68 superior officers. Why this increase in ten years? Out of the present cadre of 35 Departmental Forest Service only six are Indians, three being appointed directly and three promoted from Provincial Forests Service. There ought to have been 26 Indians in Imperial Forests Service instead of six, according to the recommendation of the Lee Commission. Why this low percentage, in spite of the fact that the Government has accepted the findings of the Lee Commission in principle and acted on some of its recommendations with retrospective effect?

The Hon'ble Mr. S. P. O'Donnell: The honourable member has covered so many points that I really found it difficult to follow him or to remember all the points which he did raise. The first point I wish to make is that the recruitment for the Forest Service is not regulated by the Local Government but by the Secretary of State. The second point I should like to make is that the honourable member seems to have ignored throughout the recommendations of the Lee Commission. If he will refer to their report he will see that the Commission have recommended that 75 per cent. of the service should be recruited in India.

Mr. Mukandi Lal: I did mention it.

The Hon'ble Mr. S. P. O'Donnell: Surely that is a very liberal measure of Indianization—75 per cent. That means that before many years pass the majority of the officers will be Indians. Even as it is, a very large proportion of officers have been recruited in recent years in India; 40 per. cent. of the direct recruits are obtained from Indians and 12½ per cent. are obtained from the Provincial Service, so already more than half of the service is being recruited in India and the Lee Commission have now recommended that 75 per cent. of the recruits should in future be Indians. Out of the last eight recruits who have been appointed five were Indians and another Indian is about to be appointed, making six out of nine.

Then I think the honourable member complained that no rangers were ever appointed to the Provincial Service.

Mr. Mukandi Lal: Only one.

The Hon'ble Mr. S. P. O'Donnell: That only one has been appointed so far. It is quite an open question whether more rangers ought not to be appointed to the Provincial Service. There are officers who think that recruitment from that source should be larger than it has been in the past and that is a point we are quite prepared to look into.

Then he complained that the cadre was excessive. Owing to the great reduction in the Kumaun circle there is a surplus of officers at present and we propose to reduce the recruitment so as to absorb that surplus.

I really cannot remember if there was any other specific point which the honourable member raised. Anyhow, the main fact is that the necessity for Indianizing the service has been amply recognized by the Lee Commission.

Rai Bahadur Thakur Hanuman Singh: I rise to say that the Hon'ble the Finance Member has not said anything whether in future the recruitment of Europeans will be stopped until Indians are recruited in sufficiently large number to make up the 75 per cent. of the cadre in course of time.

The Hon'ble Mr. S. P. O'Donnell: As to that point I only refer the honourable member to the proposals of the Lee Commission and to the announcement which was made that the Secretary of State had generally accepted the proposals regarding Indianization. That is all the information I have on the matter.

Motion by leave withdrawn.

Maulvi Muhammad Obaid-ur-Rahman Khan: I beg to move that the demand of Rs. 5,45,750 in respect of the item regarding timber at page 62 of the Detailed Estimates be reduced by Rs. 4,11,255.

If the honourable members will kindly turn to page 33, they will find the first item "Timber and other produce removed from the forests by Government agency." Under this head last year they had spent only Rs. 1,34,495 while their demand for this year is Rs. 5,45,750. Sir, when I looked at it, my surprise did not know any bounds, because at the time of such great financial stringency this huge increase in expenditure seems very ridiculous to me. One is really quite unable to understand what has led the Government to place such a heavy demand this year before the Council for sanction. It is said that it may yield much more profit, but I can say that if we get money we can spend it on more beneficial and necessary objects. If we get this money for the transferred subjects, I think they will flourish much more. As every member of the House is aware, many of our needs are suffering for want of money, but on our part how can we be so generous as to spend our so much money on this item. I do not think it will be advisable in any way. I hear many such experiments in the Forest department have been the cause of great losses instead of being sources of profit. Therefore I hope that the House will not sanction this sum under that head. Rather I expect that the Government will think over it again and reduce it to the sum budgeted last year.

Mr. F. F. R. Channer: The excess of 4,11, odd which the honourable member objects to occurs in the following way. There was an excess of 4,38, in the Western circle on the extraction of timber by departmental agency. This is reduced to 4, 11, the amount objected to, by a reduction

on similar operations in the Kumaun circle. In the Kumaun circle, as has already been stated when we were discussing the supplementary estimates, we have abandoned the departmental extraction of timber. A large amount of increase in the Western circle has come in owing to an entirely different form of contract, which is not truly a departmental operation at all. When we extract timber departmentally, Government has to finance the operations and has naturally to sell the timber and a certain amount of risk which may possibly be objected to is undoubtedly incurred. To avoid that we have made a special kind of contract with a firm. They finance the whole operation, Government spends nothing at all until the timber has not only been brought down to the market but has actually been sold. When it has been sold, the Government is credited with the whole of the revenue and at the same time or just afterwards they pay that contractor a previously fixed amount of what it costs him to bring it down. Therefore it is clear that the Government runs absolutely no risk whatever and that payment is really a deduction from gross revenue. Ordinarily when we sell trees that are standing, the contractor buys those trees, pays the net revenue, and bears the whole cost of getting the wood out of the forests. The result of this contract is exactly the same, except that there is merely a paper transaction of our receiving gross revenue and paying the contractor the expenses of extraction.

The Hon'ble Mr. S. P. O'Donnell : I have looked into the matter and I think my honourable friend will realize that we shall not save a penny and shall actually lose by cutting out this sum. As the Chief Conservator has explained, there is no risk whatever. We pay only when the timber has been sold. We merely pay a fixed charge on the amount extracted and sold. There would not be a farthing more available for any other purpose. On the contrary, we should have a reduction in the total revenue, and therefore less would be available for all the departments of Government.

M. Muhammad Obaid-ur Rahman Khan : I beg to withdraw the motion.

Motion by leave withdrawn.

Lala Mathura Prasad Mehrotra : I beg to move that the demand of Rs. 6,51,650 in respect of the item regarding timber and other produce removed from forests by Government agency—A conservancy works—Western circle—at page 10 of the Detailed Estimates be reduced by Rs. 3,00,000.

If honourable members will turn to page 10 of the Forest Budget they will find that in 1923-24 a sum of Rs. 97,570 was spent on this item. In 1924-25 the sum was increased, and the amount budgeted for was Rs. 2,11,000, and the revised estimate for the same year came to Rs. 2,15,370. But this year, there has been a huge increase, and the sum has gone up to Rs. 6,51,650. There is thus a clear increase over the figure for 1923-24 of Rs. 5,54,080, and over that of 1924-25 of Rs. 4,36,280. This is a very large increase, and I do not think that the Forest department will be able to utilize it properly during the course of the year. So, I want to reduce it by Rs. 3 lakhs, still leaving a balance of Rs. 1,36,080, in the increase over that of last year, for their consumption. By looking at the general abstract I find that there is

[Lala Mathura Prasad Mehrotra.]

a great difference between the expenditure on conservancy and works in the Western circle and Eastern circle. In the Eastern circle we have an expenditure of Rs. 3,89,000, while in the Western circle we have an expenditure of Rs. 12,89,860, which comes to almost four times that of the former. Still, on the revenue side, we find that in the Eastern circle there is a revenue of Rs. 24,40,000 and in the Western circle it is Rs. 32,48,525—a difference of hardly Rs. 8 lakhs. With this difference of Rs. 8 lakhs we have an increase of four times in expenditure. That is not proper at all. There must be some flaw. On the one side we have four times the expenditure with an increase of only Rs. 8 lakhs in the revenue, on the other side, there is a very little of expenditure, while the revenue almost equal to that of the Western circle. This year, Sir, we have a deficit budget, and it is proper for us and for the Government to cut down our expenditure and observe economy as much as possible. I know the Hon'ble the Finance Member has tried his best to observe it, but I request him further to consider this case, as there is a huge increase in this item.

Mr. E. A. H. Blunt: The honourable member is really speaking about precisely the same item which gave rise to the last motion. As Mr. Channer has just explained, the whole of this increase in the total head is explained by this particular increase in the Western circle. I need not repeat what Mr. Channer has just said, but I will try to put it in a somewhat different way. It is accepted, I think, that in the Forest department, as in all commercial transactions, if you want to make money, you must spend money. Now, this item of 5 lakhs and odd which is shown here and which he calls a great increase in the total, corresponds to an item shown on the receipt side of Rs. 7,32,000. Last year the budget was Rs. 1,04,000 expenditure and receipts Rs. 1,97,000. The figure is now Rs. 5,39,000 expenditure and Rs. 7,32,000 receipts. The net result of reducing this particular item of expenditure would be to reduce our revenue. We should lose about three-fifths revenue by cutting down three-fifths of the expenditure. There would therefore be no sort of advantage to the Government, or to the deficit, because the reduction that will be made in the expenditure will be entirely wiped out by the consequent reduction in revenue. That is the point which I think honourable members should always keep in mind when considering the Forest budget. It is a commercial transaction and if you are to make more money then under certain heads you must spend more money. There is no other means of doing it.

Pandit Govind Ballabh Pant: I do not want to speak on the next motion which stands in my name. May I speak on the present motion?

The Hon'ble the President: Yes.

Pandit Govind Ballabh Pant: I support the motion of Mr. Mehrotra and in doing so I must confess the force of the arguments that have been advanced by the Finance Secretary. I do not object to this expenditure on the ground of the financial stringency, for I accept that it is more by way of investment than expenditure that this money is put in. It is with a view to work the department in the expectation of earning some money out of it. I admit all that. But still I say that it is not a safe business method that is being adopted. Honourable members must have noticed that timber and other produce are removed from the forests

by two agencies. One is the Government agency and the other is the agency of consumers or purchasers. The income that is anticipated from the second method amounts to about 50 lakhs and the expenditure under the first head come to about 2 lakhs. It is intelligible to a certain extent, as the Government has not to pay anything to the labourers or to other persons who are employed in working these forests. But I have gone through the figures for some years and I notice that the method of removing the forest produce by Government agency is not as profitable and as economical as the second method is, and to me the reasons seem to be almost obvious as this State management must necessarily be more costly. I also suspect that all the money that is spent under this head does not necessarily go to the workers as in carrying on the work men of the subordinate service have to supervise the working of the Forest department, to keep an attendance of the labourers and to look to every detail. Now, in explaining the increase for this year the budget memorandum says that "it is due to a considerable expansion of the extraction operations in the Chakrata division, additional fuel work in the Ramganga division, and provision of stock of fuel in Lansdowne for later years." So I gather from this that it is due mostly to a considerable expansion of the extraction operations in the Chakrata division. I have gone into the report for the last two or three years and I find that in the year 1919-20 for example, the total expenditure under this head came to 23 lakhs, while the income amounted to Rs. 20 lakhs only. So that not only was the country deprived and to that extent it was a loser of a colossal amount of forest produce, but the provincial finances actually suffered a loss of three lakhs on this account. Now I do not take the figures of 1921 to 1923 into account, as I hold that they were mostly in the form of paper transactions, the timber having been delivered to the industries that were done on behalf of the Forest department at Clutterbuckganj. So that there was not an actual sale in the market. Now, taking this Chakrata division in particular, where most of this outlay has to be made, I find that in the year 1922-23 the actual expenditure in this connection came to Rs. 2,79,000, while the income came to Rs. 1,58,000 only. So that the department has spent more than 1½ lakhs out of its own pocket with a view to collect forest produce in that sub-division by means of Government agency. In the next year 1923-24 I find that the expenditure was less than the income. But taking 1922-23 and 1923-24 into account and assuming that part of the stock of the previous year was sold in the subsequent year, still I find that the total expenditure amounted to Rs. 3,70,000 roughly, while the income came to Rs. 3,30,000 roughly. So looking at these figures I am driven to the conclusion that this method of working the forest by Government agency should not be resorted to and the Government should give contracts and all the forest produce should be removed by the purchasers only. That seems to me to be an economical method and it is on this ground that I make this suggestion.

Mr. F. F. R. Channer : The honourable member has objected that departmental operations are less paying than selling trees standing to purchasers. The figures undoubtedly go to support that view, because the department never goes in for departmental works unless it is obliged to, and it follows that it is the less paying form of work which we are forced to take up departmentally. At the present moment we have got three main classes of departmental work. One is the Chakrata

[Mr. F. F. R. Channer.]

contract, of which several explanations have already been given, and the main reason why we departed from the system of selling standing trees in Chakrata was that it proved entirely unsatisfactory. I think that the honourable members from the hills will understand that it requires a very large organization and a very good organization to make a success of a contract in the hills. If you sell the trees for one year only, the contractor has neither the interest nor the capacity to make a good organization and he pays us in consequence a very small sum as revenue. He gets involved in debts, advances for labour from long distances which he cannot recover in the course of a single season. Also for forest work in hills there must be slides and other mechanical means for getting the timber down to the streams. When a man has a contract for one year only he cannot be expected to put in any capital and the result is that we find our forests were not fully exploited and we did not make as much out of them as we should, and the contractors and purchasers of standing trees are constantly going bankrupt. We therefore decided that we should have a longer period than one year. It might be thought that it was an alternative to sell trees standing in the ordinary way, that is by auction, for a longer period than one year. The difficulty was about fixing the price. We cannot estimate what prices will be five years ahead. If the price rose the department would lose, if prices, on the other hand, fell, the purchasers and contractors would be ruined. In view of the objection to departmental works and the point mentioned by Pandit Govind Ballabh Pant that leakage is apt to occur, we made this contract with Messrs. Garg Bros. & Co. They do the whole work; they are really purchasers of standing trees, but under the terms of the agreement they actually credit the department with the gross revenue and we pay them a fixed sum for extracting the timber. With regard to the resin industry, that is a peculiar industry. In fact it is not a thing which is open to competition in any way. Then there are a certain number of departmental fuel suppliss. They are mostly intended for supplying military stations like Chakrata, Lansdowne, Ranikhet, Naini Tal, and so on. There is little profit to be made out of this and no contractor is willing to take up contracts. If we got contractors they would constantly be letting us down and we have got to supply fuel to the troops. So that we really have no departmental works except those which we are forced into and this Chakrata contract, which is in essence not departmental but merely another way of selling trees standing. They accept the entire risk, just like the purchasers of standing trees and the forest department simply sits down and receives the money when the timber has been sold.

Pandit Govind Ballabh Pant : Will the Chief Conservator be pleased to give more fully the terms of the contracts in the Chakrata division ?

Mr. F. F. R. Channer : The main point is that we fix rates at which the contractors are paid for extracting sleepers. There are separate rates for chir, deodar, and kail. They take this timber down to the North-Western Railway and they act as our sales agents there. The terms of the contract are that from the gross revenue received by sale of the sleepers we deduct the amount that we have paid them for extraction and thus arrive at the profit. The contractors get 20 per cent. of the profit and the Government gets 80 per cent. The contractors get this

share of the profit as their remuneration and return for all the capital they put into the work and for all the risks they incur.

Pandit Govind Ballabh Pant : If there is any loss to Government; what does it do?

Mr. F. F. R. Channer : There cannot be any loss to Government. We are not liable in any way. We pay nothing until the timber is sold. The only possible risk is that when the market is very low some of the timber might be unsaleable and we should get no royalty.

Mr. Mukandi Lal : There is a motion No. 20 standing in my name lower down. It refers really to conservancy and works, though the amount is larger. May I speak on this motion?

The Hon'ble President : Yes; the honourable member may speak.

Mr. Mukandi Lal : The reasons for my motion are practically the same. I want to know whether the Government is prepared to extend the same principle that has been introduced in the Chakrata forests to other parts of the forests that is to the Kumaun forests. If the Government would take the average of five years' earnings and give contracts on five years' lease it would be a good arrangement. Instead of going into transactions like that of Chakrata, I think that they should give contracts for five years. We in this Council resent such transactions as they have been going into in Chakrata, and we have to scrutinize and to check and to see whether the money has been properly spent. If they can do away with the present method of commercial transactions and extend the principle, as I have said, to other parts by giving contracts on five years' basis for five years, it is possible that the Government will find this method more economical and more profitable. I quite appreciate the difficulty of the contractors and also of the Forest department which they have to under go by these one-year contracts, and I have therefore suggested the five-year system as a satisfactory one.

As to my motion, I am satisfied with the explanation given by the honourable Chief Conservator: but I want to know why an excess of Rs. 97,000 has been shown in the budget over last year's amount.

Mr. F. F. R. Channer : I should be glad to introduce the practice which we have been following in Chakrata, into the Kumaun forests also. I think it is the best possible system to be worked in the hills.

With regard to commercial transactions, it is impossible for us not to treat matters on commercial lines as the Forest department is a commercial department.

As to the particular figure to which Mr. Mukandi Lal has referred, namely Rs. 97,000, this excess is due to the same causes which I have already enumerated. The excess is under departmental operations which we incurred in the Chakrata contract. Mr. Mukandi Lal also said that we should work on five-year averages. I can assure him that the five-year averages will be useless for the purpose of determining the price of timber. If we had done anything like this in the past we would have incurred heavy losses. Of course if prices begin to fall it might be said that the Government would gain; but if a contractor loses money he is sure to resign the business and possibly become a bankrupt and the Government would lose their contractors. If, on the other hand, prices rise, the Government will suffer a loss by giving a contract at a low rate.

Lala Mathura Prasad Mehrotra : My point has not been answered. In the general abstract of the Forest department we find that in the case of the Eastern circle there is an excess of revenue of Rs. 14,77,857, while there is an expenditure of Rs. 3,89,000. On the other hand in the case of the Western circle the excess of revenue is only Rs. 12,83,305, while the expenditure is Rs. 12,89,360, i.e. the expenditure is four times that of the Eastern circle.

Mr. F. F. R. Channer : The large excess of expenditure in the Western circle is due mainly to the big Chakrata division operations. This is a point which has already been discussed and it accounts for about 6½ lakhs. We have in the Western circle other large items which do not occur in the Eastern circle. If the honourable member will kindly turn to page 10 of the Detailed Forest Estimates, he will find that first of all under A—I we have Rs. 6,51,000. This is the item we are talking about. In the Eastern circle there is no such expenditure at all. Then on page 11 we have got revenue from forests not managed by Government. Dagpather boom expenses—The timber goes down the Jumna river to Dagpather in the Dehra Dun district and is here caught by a boom. This item of Rs. 12,000 relates to the Chakrata division operations, and is more than covered by the receipts. Then there is item V on page 11—Rent of leased forests and payments to shareholders in forests managed by Government Rs. 1,53,000. For sometime we have managed the leased forests of the Tehri Garhwal State and we pay them the revenue which we make out of their forests every year. The revenue appears under the proper head and this sum of Rs. 1,53,000 is not real expenditure at all. These three large items Rs. 6,51,000, Rs. 12,000, and Rs. 1,53,000 make up a total of Rs. 8,16,000. The total expenditure of the Western circle is Rs. 12,90,000. That leaves about four lakhs and explains the bulk of the difference between the Eastern and Western circles.

Motion by leave withdrawn.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : I beg to move that the demand of Rs. 1,36,250 in respect of the item regarding timber and other produce removed from the forests by Government agency firewood and charcoal (Western circle), at page 33 of the Detailed Estimates be reduced by Rs. 6,000. The intention of the motion is to rectify a mistake.

Motion agreed to.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : I beg to move that the demand of Rs. 2,06,112 in respect of the item regarding timber and other produce removed from the forests by consumers or purchasers—Working of Gorakhpur Tramline, (Eastern circle), at page 33 of the Detailed Estimates be reduced by Rs. 14,000.

Motion agreed to.

Pandit Hargovind Pant : I beg to move that the demand of Rs. 2,06,112 in respect of the item regarding timber and other produce removed from the forests by consumers and purchasers at page 33 of the Detailed Estimates be reduced by Rs. 10.

I have brought this motion in the interests of the residents of five pattis in pargana Bhot in the district of Almora. I am not sure if I will be able to make myself intelligible to honourable members this time,

as I find I was not clear to them the other day. Bhotias are a body of traders who inhabit the northernmost patti of district Almora on the borders of Tibet. Their main occupation is to carry on trade between Tibet and India, and as they have to cross the Himalayas, the transport which they use consists of flocks of sheep, Tibetan cows, and small ponies. In 1874 the only tax imposed on them besides very small land revenue was called cattle revenue which was supposed to be levied on them on account of their trade-earnings and the use of forests by their flocks. It has continued ever since. But subsequently the reason why cattle revenue was imposed was lost sight of and besides land revenue and income-tax they have also to pay grazing dues to the Forest department. Now, in regard to the grazing dues I beg to submit that though the Forests Grievances Committee in paragraphs 14 and 15 of the report have recommended that they be abolished at least so far as the agricultural cattle are concerned, they are in force still. These Bhotia traders have to come down to the markets of Tanakpur, Ramnagar, and Haldwani in district Naini Tal for selling the produce they bring from Tibet and to take things purchased from these markets back to Tibet. The moment they cross a certain line the Forest department realizes from them a certain grazing fee which is half anna for a sheep and four annas for a cow. These traders have been using particular well defined routes from times immemorial and have in a way acquired rights of easement on the Forest produce used by their flocks. It is not fair to charge any grazing dues from them specially when they are already paying cattle revenue, particularly the residents of Malla Johar. In these circumstances I propose that the grazing dues be remitted.

Pandit Govind Ballabh Pant: Honourable members will perhaps remember the answer which the Hon'ble the Finance Member gave to the question inquiring as to what the rates of fuel in Naini Tal were. I also inquired about the rates and from the statement that was then supplied it was evident that the rates prevailing in Naini Tal were very much higher than those prevailing in Bareilly and other places. The question and the reply are in the report and I shall show them if necessary. So I think that the Forest department should look into this matter. Excessive price has to be paid—12 annas a maund at a place like Naini Tal and it weighs heavily on the poorer classes. A number of complaints has been made to me that the prices are very high and the matter certainly requires looking into. The other point that I want to mention is that in the Kalagar Forest division I am told that the contractors are put to great loss at the time contracts are given. The quantity is mentioned by the department which is expected from a certain block and the actual quantity they get after working in those specific areas is I am informed, less than what is advertised at the time of the sale. If it is so then I think the contractors deserve some relief. As was just observed by the Chief Conservator, the contractors have a number of difficulties in working the forests and in order to keep them satisfied it is necessary that whenever they are put to any loss not on account of their own negligence or mismanagement but owing to the miscalculations by the department they deserve some relief. The third point that I want to bring to the notice of the department is the system of black-spotting contractors or of pricking them, to use Shakespearean language. I am informed that whenever a contractor does not in any

[Pandit Govind Ballabh Pant.]

way behave according to the fancy of any particular officer or does not obey his whims, that contractor's name is put in the black list and it is circulated among other officers. So long I think, as has been just said by the Chief Conservator, the department is a commercial department and whenever a contractor does not obey I think it is open to the department to take legal action against him. I know of at least one case in which a man held in esteem even by other members of the department, simply because he at one time had the temerity not to put up with an insult from a certain officer, has got his name put in the black list and now he is carrying on the business in the name of another man and it is known to all the Forest officers. I think it is harmful to the interests of the department that any but commercial considerations should influence the dealings between the department and the contractors. The next point that I want to put relates to *haldu* trees in the Western circle. I have received a very feeling letter from Captain Corbett that these *haldu* trees have taken about 1,500 years to grow and the Forest department has not been able to find out any process of regeneration. They are the most lovely trees that one can come across anywhere. Now we are informed that the Forest department has entered into a contract with the Wood Products Company by virtue of which they have been given the right of removing these *haldu* trees. This is a thing to which we very strongly and emphatically protest. When a thing cannot be produced by the department and when it has taken centuries to grow, to part with it so carelessly is very undesirable. Had it not been so, a gentleman like Captain Corbett should not have raised his voice against it.

There is another point which I want to bring to the notice of the department. It is that the contractors levy a fee on small and minor produce which is taken by the hillmen from a division in the Western circle for making mats and baskets, etc., contrary to the notification, dated 25th April, 1896. The same thing is repeated lower down about Chorgalia mandi. The practice which is being followed by the contractors of levying fees on these articles is clearly illegal and any man can refuse to pay the amount and force some sort of row, but I do not see any reason why in accordance with and in the face of this notification No. 256/XIV/540, dated 11th April, 1896, the Government should not issue distinct orders that the contractors as well as the department should pay full attention to the wording of the notification referred to and no dues should be levied against its terms.

The Hon'ble Mr. S. P. O'Donnell : I will leave it to the Chief Conservator to answer the points raised by the honourable member for Naini Tal. As regards the point raised by the first speaker, I think he has misunderstood the position. The land revenue in these areas is not really levied on the profits made by these Bhotias on their cattle. The number of cattle was taken as the basis of calculation, because that was a rough and ready method of calculating what amount they could pay for the land which they cultivate. Of course, it was not a scientific method, but it is impossible in this very primitive, wild, and precarious area to apply the scientific methods which are adopted elsewhere.

Pandit Hargovind Pant : Is not the land assessed separately ?

The Hon'ble Mr. S. P. O'Donnell : No doubt, but my impression is that the number of cattle was merely treated as a rough indication of

the amount of land revenue a man should pay. The grazing fee is quite a separate matter. The grazing fees are charged when they bring down their cattle into the other parts of the hills. It is very reasonable that they should pay these fees. These Bhotias do a great deal of damage to the forests. If we were to treat the matter on commercial lines, it is probable that we should demand a very much higher fee from these people. It is quite reasonable that they should pay a moderate fee for the grazing which they secure in areas in which they do not reside and at the expense of the other inhabitants.

Mr. F. F. R. Channer : Really I have forgotten what the figures were given the other day, but I accept the honourable member's statement that fuel in the plains is cheaper than at Naini Tal. The fact is that fuel to places like Bareilly and Moradabad goes from the plains forests by rail and the transport costs very little indeed. Consequently the fuel is fairly cheap. In the hills the reason why it is so expensive is that it has to be carried on ponies or men's backs for long distances and it is collected with great difficulty and before it reaches Naini Tal a very considerable sum of money is spent. The Forest department makes little or nothing out of this fuel-supply. Although I have not got here the latest arrangements, I believe that the matter is now mainly in the hands of the municipal board. The Forest department only settles the terms of the contract with the contractor who is to supply the fuel. The price is fixed by the board. I may be wrong.

Pandit Govind Ballabh Pant : It is a very petty matter. I did not wish to raise any very long discussion over it.

Mr. F. F. R. Channer : The honourable member mentioned the case of contractors who lost money over this fuel contract.

Pandit Govind Ballabh Pant : I did not say fuel.

Mr. F. F. R. Channer : I think I may say that the Forest department has done a very great deal to help contractors who have lost money not through their own fault, but it is not possible for us to give a guarantee to contractors against loss. The timber industry is a risky one. Sometimes enormous profits are made but then no contractor ever offers to share his profits with the Government. Sometimes they lose. We know that, and we recognize that it is to our mutual advantage that these contractors should not suffer a loss. We always try to give reasonable terms. Of course we cannot give a guarantee against loss.

Pandit Govind Ballabh Pant : My question in this connection was this ; was the outturn in Kalagarh sub-division less than was expected at the time of the sale by the department ?

Mr. F. F. R. Channer : Yes, I believe it was, and the contracts were re-issued in consequence. I myself conducted these operations in Kalagarh and I spent days and weeks in considering various cases, and altering contracts in a way I considered to be fair. I have no doubt that many of the contractors did not agree that what I arranged was fair.

As regards the black list. We employ the black list mainly in dealing with contractors who take contracts and then throw them up. That habit is a cause of the greatest loss to the department. We hold an auction and plenty of people who want to have contracts collect together. A certain man bids up regardless of the price reached and so ousts other

[Mr. F. F. R. Channer.]

buyers. Next day he sends in his resignation when he finds that he has given too much. People who treat us in that way go far to make the auction system impossible and unless we did something we should have to give up the auction system entirely. Therefore we instituted a list of contractors who are known to have that habit. I am sorry if there is any contractor who feels that he was wrongly placed on the black list, but I have knowledge of any such cases and I can assure the honourable member that the greatest care is taken over this black list.

As regards *haldu* timber, I may say that I share the honourable member's view with regard to the selling of these fine trees from an aesthetic point of view, but at the same time as I have already said today we are a commercial department and I should hardly like to come to the Council and say that the revenue has fallen because I could not bring myself to destroy beautiful trees. We have found a new and valuable use for this *haldu* timber, and I think it is incumbent upon us to make the best of the situation from this point of view. We have, I hope, solved the problem of *haldu* regeneration. Not far from Chorgalia there is an enclosure where splendid young *haldu* is growing up. This is due to the fact that a wire fence has been put round an area of river bed where young *haldu* trees were growing but which were lying dormant on account of the constant grazing of cattle.

There was finally the point about the fees on *chatai*. I have had that question up before me more than once. I am sorry to say I cannot give the details of it. I come to the conclusion that the honourable member's reading of the notification is not tenable. I do not consider that the people have been deprived of any rights or had any rights which are affected by any contract that we sell. All rights are most scrupulously considered in our arrangements with contractors and all rights are safeguarded.

Mr. Mukandi Lal : There is only one point which I wish to mention. I put a definite question to the Chief Conservator : whether the Government forbids the taking of reeds which are called *ringal* for the use of making baskets and if it is forbidden, will the Government see that people are given all possible facilities for taking *ringal* for making baskets for their own use.

Mr. F. F. R. Channer : Any villager who has the right to take *ringal* is allowed to do so.

Motion negatived.

Mr. Ashiq Husain Mirza : I have unfortunately included the non-votable item also. May I exclude that and then move the motion ?

The Honble the President : Yes.

Mr. Ashiq Husain Mirza : I beg to move that the demand of Rs. 6,11,727 in respect of the item regarding Kumann circle at page 27 of the Detailed Estimates be reduced by Rs. 2,00,000.

In this connection I have a few items on the receipt side at page 19 of the Detailed Estimates of forests on which I should like to have some information.

Last year the original estimate of sale of timber by Government agency was put down at Rs. 97,000. This in the revised estimate has

been reduced to Rs. 91,000, but in the new estimates for the year 1925-26 Rs. 90,670 has been reduced and the probable income has been put down at a normal figure of Rs. 1,000 only.

Then, again, with regard to resin. It was originally estimated that 80,000 maunds of resin at Rs. 6-12 per maund would be extracted from the forests. This has been revised to 96,000 maunds at Rs. 7 a maund and reduced next year to only 40,000 maunds at Rs. 6-1 per maund. I would like to know why such an extraordinarily large amount of resin was extracted last year. Was it to swell the receipts and to get a supplementary estimate passed?

Then the next item is as regards the resin dividend. I should like to know on what basis these resin dividends are anticipated. The debentures instead of being put down in the Utilization circle as they were put down last year have been included in the Kumaun circle this year and are expected to bring in another Rs. 21,125.

As regards timber and other produce removed from the forest by consumers or purchasers, this sum has been increased this year to Rs. 72,000 in the receipt side as I have already mentioned. There is an item of Rs. 90,670 in revenue which we expect to get less than the current year from the Kumaun circle. This ought to have shown a corresponding decrease in expenditure, but on the expenditure side I find under "Conservancy and works"—page 20—the item of "timber and other produce removed from forests by Government agency" is only Rs. 29,000 and the income is down by Rs. 80,670. It is expected that we will get Rs. 91,000 this year. If it is a profitable one, what necessity is there to take this item out of the Budget and leave out the extraction?

I have worked out a few figures in regard to the working of the Kumaun circle, and I find that the whole Kumaun circle has an area of 3,395 square miles. I can only give the figures for 1923-24, which are the actual figures and which are known to be correct. The income per square mile is Rs. 226 and the expenditure per square mile is Rs. 260 or a net loss of Rs. 35 per square mile. The causes of this extraordinary expenditure are not far to seek. From 1896-97 to 1911-12, when the Kumaun circle was handed over to the Forest department the area was administered by three Forest officers under civil authorities, and the area then was 9,070 square miles. The cost of working this area was roughly Rs. 6-4 per square mile and the income was Rs. 5-12 per square mile. Taking the average for the last 16 years it gave a profit of annas 8 per square mile. Now, let us compare this with the cost at present. At present the cost of working the area has gone up from Rs. 6-4 to Rs. 226 per square mile, and the income from Rs. 5-12 to Rs. 260 per square mile, and the profit of annas 8 has turned into a loss of Rs. 35 per square mile. I am leaving out the history of the transfer, as I am almost sure that my honourable friend Pandit Govind Ballabh Pant will be able to deal with the question more fully than I can. But it is interesting to see how the areas worked compare with those worked at the present time. As I said, under three forest officers the area worked was 9,070 square miles, and now this has been reduced to 2,395 square miles; practically about one-third of the original, instead of three divisions we have now five. Taking these five divisions, it will be interesting to see the area comprised in each division now. East Almora, Ranikhet, and Naini Tal—

[Mr. Ashiq Husain Mirza.]

three divisions, have only 282, 275, and 280 square miles per divisional forest officer. On the other hand, West Almora has 618 and Garhwal 1,940 square miles per officer. As regards rangers, in the same way, in East Almora, Ranikhet, and Naini Tal there is one ranger for each 55 square miles; in West Almora we have got one ranger for 165 square miles, and in Garhwal we have got one ranger for 243 square miles. The cost of working these divisions and the establishment charges is also very interesting. Central Almora is worked at Rs. 207 per square mile, Ranikhet is worked at Rs. 196 per square mile, Naini Tal is worked at Rs. 229 per square mile, East Almora is worked at Rs. 82 per square mile, Garhwal is worked at Rs. 38 per square mile, and the Direction division is worked at Rs. 30-8 per square mile. What is the cause of this extraordinarily heavy item on these three divisions? Why have they got such a small area to administer? The reason is not far to seek to a layman like myself. If you turn to resin and how it is collected, you will find that during the current year a sum of Rs. 4,67,700 was spent in collecting—page 21 of the revised estimate. In supervising the whole of that expenditure there was only one item of 89 jamadars costing Rs. 11,354. The rest is not charged to the Resin division. If the Resin division is a commercial proposition it goes without saying that the rest of the Kumaun circle should not be made to bear the cost of that collection. The collection charges should be put down where they are absolutely necessary. In the same way, if Garhwal could be administered by one forest officer with an area of 1,900 square miles, East Almora with over 600 square miles, there is no reason why Central Almora, Ranikhet, and Naini Tal should not be administered by one officer, having only 280 square miles. The cost of working this forest should be reduced and I submit this for the consideration of the House.

The Hon'ble the President : There is a motion in the name of Pandit Govind Ballabh Pant.

Pandit Govind Ballabh Pant : I rise to support the proposition just moved by Mr. Mirza which stands as No. 13 in this agenda. The House should be remembering that last year we reduced the demand for the Kumaun circle by one lakh. At that time there was a discussion over this subject and after listening to what the Government and others interested in the subject had to say, the House made a reduction in the demand. I would request the honourable members to look at the question in a dispassionate manner. I do not consider it necessary, at least at this stage, to refer to the observations made by the Governor in respect of the transfer of forests or to the view expressed by the committee on that question, as that would be a larger question and would perhaps go beyond the limits of this particular motion. I will confine myself to the Kumaun circle. In this connection I should like to bring to the notice of the members of this House two or three points. The first point that I wish to urge is that the Kumaun circle consists of some of the forests situated in the Kumaun division. There are besides other forests situated in the Kumaun division which form part of the Western circle. The area within the Kumaun division which forms part of the Western circle comes to about 1,300 square miles, and the income from these forests comes to about 13 lakhs per annum net. It is not in respect of these forests that I am speaking just

now. I am referring only to those forests which are now comprised within the Kumaun circle. Now I may say at once that I am quite at one with the desire of the Government that the forest should not be destroyed, and that an economic use should be made of the forest produce; but I differ from the policy adopted by the Government on some strong grounds. First, it is not possible that the Kumaun forests may ever be profitable. As to that the Hon'ble the Finance Member made a speech last year in which he practically accepted the position that I am taking today. Those who have read the annual report for the last two years must have noticed the statement therein that timber operations have been stopped by the department in the Kumaun division and also the further remark that there was a slump in the market and that the timber cannot find any purchasers. This is not the first time that such a remark has been made. If honourable members will please refer to the annual reports from 1914 onwards—the forests having been taken over in 1914 only—they will come across similar observation in the report from year to year, except during the three years when the War was on. Besides, they must have noticed that the fibre of trees in the Kumaun circle is said to be twisted and not of any great use; so that there is no doubt that the Kumaun circle can never be a profitable concern and those who have seen the report of the chartered accountant on the working of the Kumaun circle from 1911 to the year 1923 must have noticed that considerable loss had been incurred over the working of the circle. So on economic grounds the Kumaun circle cannot stand the present management. It cannot pay the expenditure that must be incurred if the circle is managed according to the orthodox methods of the Forest department. Then those gentleman who have read the report of the Chief Conservator must have noticed the chagrin, the resentment which is apparent in every word that he uses in respect of the recommendations of the Forest Grievances Committee. One cannot feel any doubt, after reading that report, that so far as the Chief Conservator is concerned—he considers it absolutely incompatible with the management of the forests in the manner that he would consider proper that the recommendations of the Forest Grievances Committee should be given effect to. So far as those recommendations are concerned the Government is committed. It has more than once said that it stands by them. So it is my submission that expert management of the forests consistently with complete accord with the recommendations of the Forest Grievances Committee is incompatible. So on this ground too, I think, it is no use continuing the present management. Then I will also refer you to the figures that are given in the estimates. I will not dwell on them at any length but I may say that while the area stood at about 3,100 square miles of reserved forests, it has now gone down to about 1,200. So that there has been a reduction of about two-thirds. In accordance with the recommendations of the Forest Grievances Committee the Kumaun circle has been classified under two heads—class I and class II. As to class I, the recommendation is that no staff should be maintained to look after class I, and as to class II the recommendation is that it should be managed as a reserved forest. So though the total area has been reduced for all practical purposes so far as the question in issue at present is concerned by about a third, the reduction in expenditure is much less than that. It is not even one-fifth as compared with 1922-23. So that again shows that while the source of income has been reduced considerably, the liability still

[Pandit Govind Ballabh Pant.]

continues almost at the scale at which it stood formerly. Then I go further and say that according to the Government, and I think it is almost indisputable unless we want only to argue things unnecessarily, there is nothing else in Kumaun forests except resin that can possibly yield any income. Well, as to resin it has to compete with the methods that are adopted, and are improved in Western countries from day to day in respect of turpentine as well as resin. I myself seriously doubt if within a few years the day must not come when the resin trade or the resin industry in these parts may not be able to stand the competition at all. We have seen things like that in respect of other chief industries, while this is only a subordinate industry. So far, this is only an economic aspect of the matter, and I think the province would be well advised to seek some other method of carrying on the work. We have been told that this desire on our part to get these forests out of the control of the Forest department directly is in a way a destructive one. Well, I do not want to enter into any controversy over these questions; we have to deal with facts and as to motives and desires and functions they are in a way out of court where facts are there to convince us or to convince the other side. So I may say that even now the municipal board, the cantonment area, and others have got forest areas under their supervision and under their control. The entire area around Naini Tal is managed by the municipal board of Naini Tal and I think even the Chief Conservator will have the generosity to admit that it is not much worse than the forest management by the department itself.

Then there is this point that at present there is in fact no regulation of the forests in the proper sense of the word. There is that notification of 1893 which applies to the areas outside the reserved forests and therefore every bit of land on which a house stands or the surface of every lake and river is a forest, every rock and every snow-cliff. I ask whether anybody could understand them as forests. That is for the department to answer. There is an anomaly which must be taken into consideration. Then I stick to the heterodoxy that the areas inside *san assi* boundaries are the property of the villagers. I know that it is greatly and emphatically repudiated, but there are facts which go to support it. Mr. Traill, in 1821, soon after he took charge of Kumaun, said:—

“The landed tenures in these mountains have never been disturbed by foreign conquerors, nor have the rights of individuals ever been compromised by public sales of lands. In these successive revolutions the rights of tenures of land vested, in the population at large together with the normal institutions have never varied, but remain at present in the same form and to the same extent as they existed centuries past. It is on record that the tenure of land suffered few violent changes under the former rulers.”

He again wrote in 1825:

“In the greater portion of the villages throughout the province cultivation is in the hands of the actual proprietors of the soil, only in a few the right of property as distinguished from actual occupation being vested in different individuals.”

Just after the Gurkhas took possession of Kumaun there came down from Kathmandu a commission which fixed the boundaries of villages,

and Mr. Traill only confirmed the boundaries as they existed before and in the registers which he prepared Mr. Traill entered these very boundaries. So if the Government will be pleased to look at the question with an unbiassed and uninterested view, I think they will have to admit that the *sal asi* boundaries did indicate the proprietorship of the villagers. Even according to the accepted theory that the villagers have got a right—and there is ample reason for this, as it has been repeatedly said by Government—in respect of the areas inside these boundaries, even taking that into consideration, I think the best method would be to demarcate the area for each village and to erect boundary pillars and thus to have some sort of arrangement by which both the forests may be preserved and the villagers may have security of their rights within their boundaries and everything may go on in a smooth manner. This question is a local matter and I am afraid many members of this House will not be interested in it. My only justification for encroaching upon their time is that this question is of vital interest to the people of Kumaun, for this is a matter which has brought about any amount of friction between the authorities and the people on the one hand and on the other hand it has caused any amount of worry to the inhabitants of those parts.

Therefore my submission is this, that the present arrangement cannot be profitable to the State, as it has caused resentment among the people of Kumaun on account of the worries that are caused to them. The present policy of Government is not a practicable policy and there is no doubt that sooner or later they will have to modify their policy. In fact all the forests considered to have a commercial potentiality were reserved as long ago as 1880. There was a long correspondence and discussion in respect of these forests at the time of Lord McDonell's Governorship and also before that. The policy that was followed then was a right policy.

In the end I have to lodge an emphatic protest, first against the transfer of the resin factory from Rhowali to Bareilly and after that to the transfer of the resin factory to a private syndicate. I do not care what were the conditions of the wood-working institute and turnery or the sawmill. So far as the resin factory is concerned it was a very profitable concern. In these circumstances the Government was ill-advised in doing a thing which has been objected to by the public at large, namely, the transferring of that particular industry to a private syndicate and this on conditions and terms which are altogether unintelligible. They will have only one director; they will be getting only such share of the profit as would be given to other shareholders, though the whole amount of their investment is already in the going concern. So that if one analyses the position one cannot but be struck with the present arrangement. I hope the motion will be passed by the Council both in the interest of economy and in the interest of good-will and also in the interest of proper and reasonable scope for living in Kumaun.

Lala Mathura Prasad Mehrotra: As my honourable friends Mr. Ashiq Husain Mirza and Pandit Govind Ballabh Pant have gone into the details of this circle, I do not want to repeat the same points. We have already heard about the percentage of expenditure and revenue per square mile. Considering the smallness of the area in this circle, there is a top-heavy staff. We have already heard that the only source of income in this circle is resin and turpentine. It is therefore

• [Lala Mathura Prasad Mehrotra.]

very necessary that we should decrease the expenditure, as there is no possibility of increment in the revenue. From the general abstract I find that this circle is spending a lot as compared to revenue. We are spending upon this circle Rs. 6,33,927 and the excess of revenue over expenditure is only Rs. 5,773. If we compare this with the Eastern circle we find that there we get an excess revenue of Rs. 14,77,357 over the expenditure. I want to know the chief reasons for this large difference.

Mr. F. F. R. Channer : One of the points of Mr. Mirza was that the revenue on sale of timber by Government agency has declined to Rs. 1,000 as given on page 19 of the estimates. The reason for this is that our departmental working of chir timber did not pay. Moreover, it is difficult to draw conclusions as to operations like these from the figures of a single year, because the operations extend over several years. The comparatively good revenue which we made in 1923-24 was the outcome of the expenditure which we incurred in previous years. As regards the disappearance of this revenue, I think Mr. Mirza made a point that the expenditure in the revised estimate was Rs. 30,000 and the revenue Rs. 91,000. If he will look at the figures on page 19 under receipts—item II—“Timber and other produce removed from the forests by consumers or purchasers” he will find that the revenue has risen from 201 in the revised estimates to 288 in the proposed budget. In other words we have substituted sales by auction for departmental operations.

Then it was asked why so much resin was extracted in the year 1924-25. The original demand from the Syndicate appears under the column of original estimate, 80,000 maunds. The figure rose to 96,613 maunds in the revised estimate, not because they asked for more resin but because the season was very successful and we got a much larger outturn than we expected.

The figure of Rs. 21,125 which was also mentioned represents the interest on debentures for the year 1925-26 payable in March, 1926.

The figure Rs. 6-12 per maund which appears under the original estimates was put down before any agreement had been come to with the Syndicate. Rs. 7 is the figure eventually agreed upon for 1924-25. For 1925-26 the reduction to Rs. 6-1 is due partly to a decrease in the cost of working, but mainly to the fact that a smaller quantity of resin can be supplied at an average smaller distance from Kathgodam and consequently the supply is less expensive.

Mr. Mirza next asked what is the minimum quantity of crude resin which the company is obliged to take.

As the company has taken 40,000 maunds in 1925-26, the minimum quantity is now 20 per cent. less than that.

Mr. Ashiq Husain Mirza : Then what is the reason for the reduction from 96,000 maunds to 40,000 maunds?

Mr. F. F. R. Channer : Ninety-six thousand maunds were arranged before the terms of the present agreement came into force, and it was not binding on the company, but the company is naturally anxious to take as much as it can and not as little as it can.

I am afraid I was unable to follow the figures which the honourable member gave. According to my own figures, I make out that the annual average surplus in the old days was Rs. 4,300 in the whole of Kumaun, when the forests were under the control of the district authorities. I have not attempted to work out revenue or expenditure by area, because I consider that the area test, particularly in the hills, is most misleading. The Kumaun forests were reserved in large blocks, the greater part of which was very often totally unproductive. In Garhwal division, in particular, Mr. Nelson, the Settlement Officer, included the area right up to the top of the snows. At places again many of the forests are inaccessible and the forest is practically unworkable, and there nothing like the same staff or supervision is required as in areas like those near Ranikhet, Naini Tal, and Almora, which are close to the plains and where commercial work goes on. While I am on this subject, I may mention the fact that we have decided to abolish the Ranikhet division from the 1st of April and the budget has been framed accordingly. In fact, in the present budget this factor is responsible for the fall in the expenditure on establishment.

As regards the results under the Forest department, I have examined the figures prepared by the chartered accountants with considerable care, and they do not seem to me to be quite as unsatisfactory as they were made out to be. The chartered accountants included a large number of items which really do not find a place in a forest budget. On examining the figures of 1912-13 to 1921-22, I find that there is a deficit of Rs. 7,71,000, the expenditure in the forest settlement being eight lakhs. That was an extraordinary expenditure, which can never occur again, so that on ordinary working there was a normal surplus of Rs. 29,000. Then, in 1921 the fires caused a dead loss of Rs. 2,20,000, on resin actually extracted. Thus the total annual surplus comes to a quarter of a lakh of rupees. Here, again, I may mention that Rs. 21,000 were spent annually during the period on roads, which have been of great benefit to the people of Kumaun, and so the expenditure of that amount cannot be considered to have been a waste. It is true that in the two years following, viz. 1922-23 and 1923-24, we had considerable deficits, but, the revised estimates for 1924-25, which were debated in Council in December last, showed a surplus of Rs. 47,000, which was due to the large outturn of resin, which I have just mentioned, and in 1925-26 in spite of a much smaller outturn of resin we are anticipating a surplus of Rs. 6,000. Therefore, the statement that the Kumaun circle can never pay needs further looking into. One honourable member, Pandit Govind Ballabh Pant, seemed to be pessimistic about the possibilities of trading in chir timber, because the slump in the chir trade is a complaint which is voiced from year to year. The slump in the chir market cannot be cleared away in a year or two but ; India is getting every day more and more an industrial country and the demand for timber must go up. I should not be surprised if within 15 or 20 years this industry will be considered as one of the most advantageous industries in Kumaun. As regards resin and turpentine, the Forest department created this industry entirely, and we have got through the period of struggle with foreign competition and have very largely ousted foreign products from the Indian market, and there is no reason why we should not go on increasing the advantages that we gain from the industry.

The Hon'ble Mr. S. P. O'Donnell: I would like to say something about the questions of general policy raised by the honourable member for Naini Tal. I quite agree with him that the main consideration in connection with the Kumaun forests is not revenue. It may be that, as the Chief Conservator has stated, the chir market will greatly improve within 15 or 20 years, but it is hardly probable that the revenue will ever be such as we could not sacrifice without any great loss to our total revenues. The main reason for keeping these forests under the Forest department has not been revenue but the interests partly of the inhabitants of Kumaun and partly of the rest of the province. Now, Sir, I would like to give to the Council a general idea of the system which is at present in force. I admit—and we have always admitted—that mistakes were made in the years 1911 and 1915 when it was decided that a large area should be taken under the Forest department. The area reserved was too large and the restrictions imposed were excessive. But the mistakes were remedied in consequence of the report of the Forest Grievances Committee. That committee was presided over by an officer who certainly had no excessive sympathy for the Forest department, it included several prominent non-official members and it presented a unanimous report. The Government accepted all the recommendations of the committee. The position now, consequent on the acceptance of those recommendations, is briefly this. There are first the class I forests. These consist almost entirely of oak forests on high ridges. The preservation of these forests is essential for the water-supply of the canals. If they were destroyed the results might be disastrous. We maintain no staff in these class I forests. They are merely watched and inspected from time to time to see that they are not destroyed. Then there are the areas which have been disforested and the areas which were never included in the reserve. In these areas there are practically no restrictions. These areas include the areas which have been mentioned by the honourable member for Naini Tal in connection with the *san assi* boundaries. I do not propose to go into the legal question of the character of these boundaries. I will only say that at no time has the British Government ever recognized that they were more than administrative boundaries. But we should be very glad to see some scheme devised under which these minor forests could be placed under village management. We issued last year certain rules which in the opinion of Mr. Pearson, who went into the matter with an entirely open mind, were as good as could be framed. These rules allow co-sharers to take up certain areas and manage them. But we are quite prepared to have this matter further examined. We intend to appoint a Kumaun forest sub-board or committee which will be affiliated to the Forest Board.

All questions relating to the Kumaun forests which are referred to the Forest Board will be referred by the Board to this sub-board or sub-committee and we are quite prepared to take the advice of this Kumaun Forest sub-committee or sub-board on the question whether some better scheme could not be devised. Then there is the third area, viz, the commercial forests. Now, these forests render immense services to the people. I cannot give the exact figures relating to these areas, but I can give certain total figures which will give the Council an idea of the extent of the services rendered. Out of 4,19,000 cattle 3,98,000 grazed free; the actual number indeed is very much larger, as enumerations are only made in the old reserves. The total

amount of timber supplied every year in the whole province is 8,99,000 cubic feet and out of that 6,09,000 were supplied free by the Kumaun forests. Then there is free fuel. The total amount of free fuel supplied in the whole province is 19,482,000 cubic feet and the amount provided out of that by Kumaun is 17,945,000. The forests which I have referred to under the head of areas disforested and areas never included in the reserves may be destroyed; that is far from being impossible. On the contrary unless we can devise some satisfactory system of village management, which is distinctly problematical, those forests will gradually disappear and then the only reserve of fuel and timber for Kumaun will be these commercial areas which are worked by the Forest department. Therefore it is absolutely essential that these forests should not be destroyed. They are worked, as I have explained, in a very different way from the forests in the plains. They are subject to a burden of rights which is far in excess of anything which is known in the plains. The restrictions imposed are those recommended by the Forest Grievances Committee and they are the absolute minimum. I am not sure whether the honourable member for Naini Tal really meant that these commercial areas should be handed over to the district boards or the municipal boards. If that was really his meaning and if he was not referring to the areas which are not in the reserves, I can only say that I regard the suggestion as fantastic. There is no district board or municipal board in the province which has ever attempted a task of that kind. It is true that the municipal board of Naini Tal does manage a tiny area immediately around Naini Tal, but that is a very different thing from managing an area of 1,200 square miles. The district boards have not the staff, nor the experience, nor the knowledge required. The work can only be done by an expert department. Lastly, there is the question of the resin industry. We had that question up before and I endeavoured to explain the reasons for the transfer. I would remind the Council in the first place that we decided to transfer it to a private company on the definite recommendation of the Forest Board. The matter was discussed more than once by the Forest Board and the final recommendation was that both the resin and the other factory should be transferred to a single limited company. They further recommended that there should be a public meeting at which the whole position should be explained and that meeting was held in December, 1922. Subsequently we did what is usually done in these cases. We called for tenders and we took the best tender received. I do not admit that the tender accepted was not reasonable nor that we lost over this transaction. In the first place, it was becoming more and more difficult for Government to run this factory as a Government concern. That was recognized by the Forest Board. The Forest Board thought it essential that private enterprise should be introduced. It must be remembered that we are not the only people concerned with the outturn of resin; we have competitors in Punjab; in the Punjab the business has been transferred to a private concern; and it would have been impossible for us to go on competing and putting our produce on the market in competition with that of the Punjab if we had not transferred the business to private management. We made the best terms which were possible and I do not think that those terms were in any way unreasonable. Of course we had to hand over the concern on terms which would allow of a reasonable dividend. You cannot expect to get people to purchase shares if they believe that they are

[The Hon'ble Mr. S. P. O'Donnell,]

not going to get a reasonable dividend. No information however has reached me which indicates that the dividends are likely to be excessive. Already the new management has made satisfactory progress. They have made economies; they have improved the processes; they have developed the export trade, which we never touched, and the results of the first year's working by the Syndicate were decidedly better than those of the two years preceding the transfer to the Syndicate. Therefore there is no reason to suppose that we should have had more money if we had retained the concern under our own management. But equally there is no reason to suppose that the profits of this company will be above a reasonable figure.

Mr. Mukandi Lal: I am prepared to extend my blessings to the Forest department. They have built up hopes of economy and further revenue. I think every honourable member of this House will agree with me that we stand for economy, for less taxes and fewer revenues directly from the people and, if the Government can derive more revenue from the Forest department it means the lightening of the tax-payer's burden. I am prepared to expect this also. I hope the hope of Mr. Smythies may be fulfilled. He thinks that if we were to raise the average revenue by Rs. 3 per acre there could be a revenue of 48 crores for the whole of India because he thinks that one quarter of the area of India is forest area. But we have got to examine the results by past experience. We have to see when Government has undertaken the policy of commercialism and exploitation whether the Government has fulfilled the hopes that it held before us.

The second point I am concerned with is this, and there I am in complete agreement with the Government that the policy of the Government must be to safeguard the interests of the people. We have to see whether the Government has succeeded in the conservation and preservation of forests. It has been pointed out by Prof. Troope in his "Sylviculture of India" that if the Government undertook to raise groves of eucalyptus which took only few years to grow big, in an acre the Government could supply twelve tons of fuel to the people in thirty years. So if the policy of the Government was simply to provide fuel for the facility of the people, they would not be burning cowdung and deprive themselves of the manure which is so essential for agriculture. But I suggest that the policy of the Government from the very beginning has not been the policy of safeguarding the interests of the people and providing them with fuel, but it has been the policy of exploitation and there the Government has failed. If it wishes to safeguard the interests of the people of Kumaun, I suggest to the Government that it should revise the settlement of 1911 and the officer who was responsible for the policy of 1911 which sat tight on the rights of the Kumaun people has now been sent there as Commissioner: I am referring to Mr. Stiffe. I bring this point before the Government, as I would like to have a declaration from the Government that whatever may be the personnel of the Head of the administration of Kumaun the Government will not go back on the Forest Grievances Committee's report.

The Hon'ble Mr. S. P. O'Donnell: I give that assurance.

Mr. Mukandi Lal : It may improve matters though I have my own grievance with those recommendations. It was a policy of revenge. In view of the people clamouring for more rights the Government says : "Here you are; we are going to give you your own forests," knowing very well that they have not the means of protecting those forests either through the *panchayats* or through the district boards or in some other way. The Government simply let go those forests. It now comes and tells us that those forests which were released for the benefit of the people have been to a large extent destroyed by the people. I am prepared to corroborate that in the first place those forests which have been released have been destroyed by the people not because the people wanted to exploit them but when the people were prevented even from the more use of dry fuel, what a hardship it was. They were stopped from satisfying even their rudimentary wants from the forests. When they were released all of a sudden without any check, I should not be surprised if they have been destroyed. Therefore it is the Government that is to blame. They decided to release the forests, they did not suggest any alternative methods to protect them in consonance with the rights of the people and at the same time limiting their rights to destroy them.

I perfectly agree with the Finance Member that we must not forget the interests of the plains-men. We in Kumaun will not be so selfish that in one night we will destroy the forests and next morning flood the plains of the United Provinces. We have got to examine whether the theory of the floods rising from the Kumaun forests is a sound theory. I may inform you that there was a time when the major portion of the globe was covered with forest. The forests have disappeared in England; they have disappeared in other parts of the country. I may give below the opinion of Prof. Huntington of Yale University :—

"A great deal of devastation in Asia and Africa is due to a change of climate. He says that in some countries there is now less rain and more heat than formerly. The desert has destroyed the forest and not that destruction of forests has caused the desert. He especially refers to Central Asia, Syria and Palestine." According to him, therefore, it is not human agency that has destroyed the forests but it is due to climatic changes.

I may remind you of the sudden floods we had last year. There have been rains for years and years, the Kumaun forests have been to some extent damaged and destroyed for so many years. But did you have a flood as you had last year? Did you have a flood in the Gumti which you had two years ago? Do you mean to say that the people of Kumaun have destroyed the forests in a single night and have caused floods? I submit it is not correct. Then I have to suggest to the Government that they have not only to see to the conservation of the forests but the interests of this province also.

Lastly, I suggest that we have to safeguard the interests of the Forest services also in this province. Whenever there is a vacancy in some of the high offices here . . .

The Hon'ble the President : The honourable member had an opportunity of referring to this.

Mr. Mukandi Lal: I may conclude with the remark that we stand for the preservation of forests, for the conservation of forests, but at the same time we want to give the people for whom you think that these forests exist their rights, so that we may say that the forests stand for men and not men for the forests.

The question was put and the Council divided as below :—

Ayes (32).

Babu Narayan Prasad Arora.
 Babu Mohan Lal Saksena.
 Babu Damodar Das
 Babu Bhagwati Sahai Bedar.
 2nd Lieut. Chaudhri Balwant Singb.
 Chaudhri Jaswant Singh.
 Chaudhri Sheoraj Singh.
 Thakur Rajkumar Singh.
 Thakur Shib Narayan Singh.
 Lala Dhakan Lal.
 Babu Nemi Sarav.
 Chaudhri Badan Singh.
 Rao Sahib Kunwar Sardar Singh.
 Thakur Sadho Singh.
 Pandit Brijnandan Prasad Misra.
 Pandit Jhanvi Lal Pande.

Lieut. Raja Durga Narayan Singh.
 Pandit Sri Krishna Datt Paliwal.
 Pandit Parsidh Narayan Anad.
 Rai Bahadur Thakur Hanuman Singh.
 Pandit Govind Ballabh Pant.
 Pandit Hargovind Pant.
 Mr. Mukandi Lal.
 Babu Ram Chandra Sinha.
 Mr. Zehur Ahmad.
 Mr. Muhammad Aslam Saifi.
 Rao Abdul Hamid Khan.
 Khan Bahadur Chaudhri Amir Hasan Khan.
 Maulvi Obaid-ur-Rahman Khan.
 Mr. Ashiq Husain Mirza.
 Raja Saiyid Ahmad Ali Khan Alvi.
 Lala Mathura Prasad Mehrotra.

Noes (24).

The Hon'ble Mr. S. P. O'Donnell.
 The Hon'ble Raja Sir Muhammad Ali
 Muhammad Khan, Khan Bahadur.
 The Hon'ble Lieut. Nawab Muhammad
 Ahmad Sa'id Khan.
 The Hon'ble Rai Rajeshwar Bali.
 Mr. G. B. Lambert.
 Mr. E. A. H. Blunt.
 Kunwar Jagdish Prasad.
 Mr. G. B. F. Muir.
 Mr. A. C. Verrières.
 Mr. C. E. D. Peters.
 Mr. B. D'O. Darley.

Mr. S. H. Fremantle.
 Mr. R. Burn.
 Mr. Jwala Prasad.
 Mr. C. M. King.
 Mr. F. F. R. Channer.
 Colonel A. W. R. Cochrane.
 Mr. A. H. Mackenzie.
 Mr. G. Clarke.
 Mr. H. C. Besanges.
 Mr. H. David.
 Rai Bahadur Babu Ram Nath Bhargava.
 Phaya Hanumat Prasad Singh.
 Nawab Muhammad Yusuf.

Motion agreed to.

Pandit Govind Ballabh Pant : I move that the demand of Rs. 2,850 in respect of the item regarding miscellaneous expenditure at page 24 of the Detailed Estimates be reduced by Rs. 100.

The total figure Rs. 2,850 appears at page 24, at bottom of the page. It includes rewards for killing wild animals, fishing and shooting guards and other items. I only wish to refer to shooting guards, and in this connection I wish to invite the attention of Government to the point that even licence-holders in Kumaun are not free to shoot in civil forests or in reserved forests. In fact, if the rule is strictly interpreted, they are not free to shoot even within the boundary of their own villages under notification No. 843F—638-69 of the 24th October, 1894, which says :—"No person shall shoot or hunt or enter any forest in time of snow for the purpose of driving or otherwise destroying game therein, except under and in accordance with the conditions of a licence granted by the Deputy Commissioner." I will not dwell on the point, as the Hon'ble the Finance Member and other members on the Government benches are aware of the havoc that has been caused and is being caused by wild animals. I therefore think it proper and just that all licence-holders should be authorized to shoot in the reserved forests.

The Hon'ble Mr. S. P. O'Donnell : I understand, Sir, the rule is exactly the same in Kumaun as it is everywhere else that nobody can shoot inside a forest without a permit.

Pandit Govind Ballabh Pant : Not even in civil forests ?

The Hon'ble Mr. S. P. O'Donnell : I do not know what the rule is in regard to civil forests. But so far as the reserved forests go, everywhere the rule is that everybody, whether he is a licence-holder or not, whether he is exempted or not, has to get a licence before he can shoot inside a forest. So far as the depredations of man-eaters are concerned, I cannot see that the extensive destruction of game is likely to improve the situation. I was discussing that question recently with Colonel Faunthorpe, who is a great authority on this subject and who has also had experience of the hills. He pointed out to me that there are no man-eaters in the plains ; they are practically confined to the hills, because there game is scarce and the cattle are well looked after. If game is destroyed the result will probably be that there will be far more man-eaters than there are now. Therefore the result of giving permission to everybody to shoot without restrictions will certainly not be beneficial so far as man-eating leopards and tigers are concerned. As I said, I do not know what the position is in civil forests, but I am prepared to inquire.

Mr. Mukandi Lal : I may point out that in the civil forests also they require permit.

The Hon'ble Mr. S. P. O'Donnell : As I said, I do not know what the position is with regard to civil forests, and I will inquire into the matter. But certainly the rule in reserved forests all over the province is that everybody must have a permit before he can shoot inside the forest.

Motion by leave withdrawn.

At this stage the Council adjourned for lunch.

After the adjournment the Deputy President took the Chair.

Lala Mathura Prasad Mehrotra : I beg to move that the demand of Rs. 14,850 in respect of the item regarding Utilization circle 8 Forests at pages 28 to 30 of the Detailed Estimates be omitted.

As we already know, the question of the Utilization circle has been agitating our minds for some time past and a reduction which came to the omission of total amount, was already moved by my friend Mr. Mirza last year. This Utilization circle is being run at a double loss, I should say. If you will please look to the Detailed Estimates, the general abstract, you will find that we have a revenue of Rs. 500 and the expenditure is Rs. 14,850. So, for the sake of a revenue of Rs. 500 we are spending a sum of Rs. 14,850. Thus the circle is maintained at a loss of Rs. 14,350. It was very appropriately remarked by my friend the mover regarding the Chief Conservator of Forests last year and I will quote two or three sentences from his speech :—" He has been carrying a baby, fortunately or unfortunately, the baby has not been his own. It has been thrust into his arms and he has been nursing it and carrying it for such a long time. The baby is dead and the body is getting decomposed. So we should get rid of this." The matter has already been fully discussed last year and I hope the Government will come forward to accept this motion of mine which is for a very paltry sum.

Mr Ashiq Husain Mirza : While reading the report of the Forest department of these provinces for the years 1920 and 1923 to 1924 I find that the Chief Conservator has written on the very first page speaking about the Kumaun circle and its grievances, that some of these were real and some imaginary. Immediately I looked into the figures relating to the Utilization circle and in that circle I find that some of the figures are real and most of them are imaginary. We take the receipts. In the receipt side we find that Clutterbuckganj has still an area left to be managed by the special officer. What the area is, what it produces, and what it does is not shown. Anyway it brings in an income, of Rs. 500 a year. Again, on the receipt side I find that during the current year Rs. 4,000 was put down as contribution from the two companies as part of the Conservator's pay. Out of that, in the revised estimate Rs. 50,842 are to be received.

Now, Sir, the Conservator has been dispensed with. There is no Conservator but an Extra Assistant Conservator who will be in charge of this division. The question naturally arises, whether this Extra Assistant Conservator's pay is to be contributed by the company or not or it was specially for the particular Conservator who was in charge of this circle last year. The House, I am sure, would like to have the reasons and an explanation of this item. The second item I find is that last year it was budgeted—3 debentures of 5 lakhs at 6½ per cent. Well, I have been going through the accounts of the two companies which have been handed over to the Syndicate and I find that the debentures are of the value of Rs. 6,10,000 and not Rs. 5,00,000; the interest of these debentures comes to Rs. 39,650 and not Rs. 32,500. How was this put down last year and why 5 lakhs were mentioned instead of Rs. 6,10,000. Again, in the revised estimates put forward for this year I find that instead of Rs. 32,000 the interest is only now anticipated. Now, debentures as I understand are issued as mortgages. They have nothing to do with dividends or profits. They are a fixed charge and the interest is to be met unless the concern goes into liquidation. Apparently the concern has not gone into liquidation. The companies were handed over on the 1st September, 1923. That is we require something like 18 months interest from the time the companies were handed over to the Syndicate, irrespective of the time when the Syndicate formed a company and floated it. That interest for 18 months has been, so to say, lost. Now, last year again an item was put down of Rs. 52,500 supposed to have been received as dividends on Government shares. Apparently it does not mention whether it was from the turpentine or the bobbin company. I suppose it was the turpentine, as the turpentine company started work on the 1st September, 1923. It was given over as a going concern. In explanation in reply to my questions which I put from time to time, it was said that the profits that have been earned by the company during the last 12 or 18 months have been put down as a special reserve. Now, in connection with that reserve, I should like to ask how has that reserve been created, has it ever been created before? The factory was handed over as a going concern, there was the raw material, the debentures were not issued on the stock but on the stock-in-trade, i.e., finished product which they could have converted into hard cash at any time they liked. That dividend has been clean wiped out this year. In the Utilization circle, coming along to the expenditure, we find that last year it was budgeted that we would make Rs. 61,630 as net profit on the working of this circle. In the revised estimate that has been reduced to

Rs. 37,405, as the supposed dividends have been wiped out, the interest has been practically halved. Now, what is the object of keeping an Extra Assistant Conservator in charge of that circle, or why has another division been created at Bareilly? The whole circle was thrown out last year; apparently the Government approved of that policy, if they had not, they would have kept the circle, but they did not—they reduced it to a mere division in charge of a provincial officer.

Now, coming to the two companies, I find a lot has been said on the two companies that have been floated by the Government and which are an outcome of the Utilization circle. I have put many questions from time to time on the subject and I find in reply to my question on the 27th February, 1925, it was said that on the bobbin company the Government spent Rs. 13,64,861 and they handed it over to the company for about Rs. 4,05,000. On the resin company they spent Rs. 8,12,000 and handed it over for practically 3 lakhs. The figures are six lakhs but when the dividends come in and then we have to share profits, they are only really worth 3 lakhs and never will be 6. This is in reply to my question. In the report of the Chief Conservator from the year 1919-20 and 1920—24 it was mentioned that the Utilization circle has been responsible during the last five years for a total expenditure of Rs. 96,16,243, of which Rs. 20,41,145 was capital mainly charged to revenue. Well, if you deduct 20 lakhs from 96 lakhs it leaves 76 lakhs, while the total in the figures that were given to me in reply to my question comes only to about 77. Why is that difference? I am almost sure that my honourable friend the Chief Conservator will be able to explain.

Now, regarding the floatation of these companies. I have nothing to say against the companies at all. They did what they thought best for themselves, and any other man in their position would have done exactly the same. What we object to is that, when questions were put, the replies were evasive; they were not frank; something was hidden, something was passed over; something was said in a roundabout way which explained nothing. For instance, I put a question on the 8th September and I wanted to know when the resin company started work. The reply to that question was:—"I cannot say; I have not the information." This was on the 8th September, 1924. I put another question just a couple of months after, i.e., on the 17th December, and the reply was:—"The property was not transferred to the company till the 27th October, 1924." But on the 1st September, 1923, that is more than a year before my first question on the 8th September, 1924, the property was made over to the Syndicate responsible for the formation of the company, and the Syndicate has been manufacturing since the 1st September, 1923. This is just one of sample of the replies that have been given to us. Well, in another question put by me on the 2nd of this month I was told that there were no agreements with the companies at all. Technically it is true. Government had no agreement with the companies, but the Government had an agreement with the Syndicate who formed the company. Well, I asked various questions about another company that was floated—

* **The Hon'ble Mr. S. P. O'Donnell:** On a point of order. It is not clear to me how this comes under the Utilization circle. There is no expenditure this year shown under the Utilization circle. We discussed the turpentine company in connection with the previous motion.

[Mr. Ashiq Husain Mirza.]

The Deputy President: That discussion can be taken up later on when we come to the general motion.

Mr. F. F. R. Channer: The figures with regard to the Utilization circle for this year as shown in the Detailed Estimates have caused a certain amount of confusion. The intention in fact was to abolish totally the Utilization circle by the end of this year and to create a Utilization division in its place. I expected to see the figures for this proposed Utilization division appear under the Working Plans circle, but owing to some misunderstanding, as they were connected with utilization, they were shown alongside the figures of the Utilization circle, with which the figures for 1925-26 for the Utilization division have really no concern. Our object in asking for funds for the Utilization division is that we wish to keep in touch with commercial activities in connection with our work on the commercial side in the Eastern, Western, and Kumaun circles. The Economy Committee recommended the retention of the Utilization circle. The idea was then that the Conservator should be partly paid by the companies and that the Conservator should be the Government Director on the board of the companies. The Economy Committee after mentioning the work of the companies suggested that the Conservator should help to find the right markets for the products of the Forest department. The Government, however, decided not to retain the circle but to appoint an officer on lower pay for this work, and the work of the Director of the companies has been given to myself. An officer of this kind was approved by Government in 1917 before the Utilization circle was ever created. In 1922 an all-India Conference of Forest officers was held at Dehra Dun, called the Utilization Conference. It was unanimously decided by that Conference that utilization was a branch of the forest work that had been neglected and must be taken up seriously. The United Provinces was then the leading province as regards utilization and while it was generally recognized, as has been admitted in this Council, that we had gone rather too far and fast with these pioneer factories, the other provinces were determined not to be left behind. The necessity for a commercial department being in touch with commerce and industry for its products is apparent. I think any business firm intending to do business, without having employees going about and finding out markets for its products, would be ridiculed, and if we were reduced to that state we could not hope to compete in the market. In old days our contractors were exporting comparatively small quantities of sal timber, our most valuable product, and they had not the slightest difficulty in selling it. Put in the present changed circumstances, it is not easy to find markets, and our contractors are constantly finding themselves unable to dispose of their timber; they are mostly small men who are not in a position to find out anything about the market. We can help them enormously in that way. Frequently we receive applications whether we can supply such and such kind of timber. We find it very difficult to deal with such requests. We also want a man to go about and tell us how and where the products are used after sale and what the prices are. We can also get a good idea as to whether we are getting proper prices at our auctions or not.

The Research Institute at Dehra Dun does a great deal of research to find out new uses for forest products—such as paper-making and treatment of sleepers, etc. One of the duties of the Utilization Officer

will be to keep in touch with everything that they are doing at Dehra Dun and to see that the United Provinces does not fail to make use of the research work that is done there. One of our most important businesses is to keep in touch with the railways and supply them with sleepers. The Railway Board have just appointed an officer of these provinces who will act as a liaison officer between the Railways and the Forest department, and we shall have to do our part in making the best arrangements to get a market for our sleepers. I, therefore, hope that the House will realize that the commercial needs of the department require a Utilization division. I hope I have made it perfectly plain that this proposal for a Utilization Officer has nothing to do with the Bobbin or the Turpentine Company. I think some of the remarks in the above connection made by my friend, Mr. Mirza, were based on a misunderstanding. Mr. Mirza also wanted to know why on page 28, debentures for five lakhs were shown when they are actually for six lakhs and ten thousand. This estimate was drawn up in July, 1923 when the arrangements were not concluded and the amount of debentures was not known. The figure of five lakhs was a guess.

The interest on debentures in the revised estimates was calculated on four months only, viz. from October, 1924 when the conveyance deed was signed and the property was made over to the Company, up to the end of the financial year.

As regards Mr. Mirza's figures of losses on the factories, the figures I gave in reply to questions were based on capital value. He asked the cost of the factories and the loss on sale. If, as I gather, he has got some figures that show a larger loss, that will be due to the trading loss in the Saw Mill and Turnery. I should like to emphasize the fact that these losses were incurred mainly in the saw mill and not on bobbins.

The question was put and the Council divided as below :—

Ayes (12).

Babu Narayan Prasad Arora.
Babu Damodar Das.
Babu Bhagwati Sahai Beder.
Lieut. Raja Durga Narayan Singh.
Babu Parsidh Narayan Anad.
Bhaya Hanumat Prasad Singh.

Pandit Govind Ballabh Pant.
Pandit Hargovind Pant.
Mr. Mukaudi Lal.
Maulvi Zahur-ud-din.
Saiyid Muhammad Ashiq Husain.
Lala Mathura Prasad Mehrotra.

Noes (33).

The Hon'ble Mr. S. P. O'Donnell.
The Hon'ble Raja Sir Muhammad Ali
Muhammad Khan, Khan Bahadur.
The Hon'ble Lieut. Nawab Muhammad
Ahmad Sa'id Khan.
The Hon'ble Rai Rajeshwar Bali.
Mr. G. B. Lambert.
Mr. E. A. H. Blunt.
Kunwar Jagdish Prasad.
Mr. G. B. F. Muir.
Mr. A. C. Verrières.
Mr. C. E. D. Peters.
Mr. B. D'O. Darley.
Mr. B. Bura.
Mr. Jwala Prasad.
Mr. C. M. King.
Mr. F. F. R. Channer.
Colonel A. W. R. Cochran.
Mr. A. H. Mackenzie.

Mr. G. Clarke.
Mr. H. David.
Babu Khem Chand.
2nd-Lieut. Chaudhri Balwant Singh.
Chaudhri Jaswant Singh.
Chaudhri Sheoraj Singh.
Lala Babu Lal.
Thakur Rajkumar Singh.
Rai Bahadur Babu Ram Nath Bhargava.
Lala Dhakan Lal.
Rao Sahib Kunwar Sardar Singh.
Rai Bahadur Thakur Hanuman Singh.
Mr. Muhammad Aslam Saifi.
Rao Abdul Hameed Khan.
Maulvi Muhammad Obaid-ur-Rahman
Khan.
Nawab Muhammad Yusuf.

Motion negatived.

Mr. Mukandi Lal: I beg to move that the demand of Rs. 2,31,225 in respect of the item regarding salaries (total) at page 34 of the Detailed Estimates be reduced by Rs. 100. I notice that there is a tendency in the Forest department to import officers from other provinces. I know that it is not entirely in the hands of the Government of this province, and that the officers are thrust upon the Forest department. When there was a vacancy in the post of the President of the Dehra Dun Research College, instead of an officer of this province being promoted an officer was brought from Burma.

In the next place, I should like to inquire from the Government as to what is the present ratio of superior appointments to subordinate appointments in the Forest department. In 1914 there were 24 superior officers and 159 subordinate officers. Again, in 1923 there were 62 superior officers and 1,077 subordinate officers. The Hon'ble the Finance Member just remarked that I had apparently forgotten the recommendations of the Lee Commission, and so in order to refresh my memory I should like to know whether those recommendations tally with the figures given for 1923 in this respect, and whether the proportion of 75 per cent has been maintained.

Pandit Govind Ballabh Pant: I wish to draw the attention of the Forest department, and in particular of the Government, to a certain procedure which has been adopted by the Forest department, which I think is open to grave objection. When the Conservator of the Utilization Circle went on leave, the Chief Conservator of Forests took over the duties of that post in addition to his own and drew an allowance of Rs. 200 or 250 per mensem. Similarly, when the Silviculturist proceeded on leave, the Conservator in charge of the Working Plans circle took over his work as well, although I very much doubt if he could discharge the onerous duties of both posts satisfactorily. The position is analogous to that of the Hon'ble the Finance Member, for example, taking over the duties of a certain magistrate and collector, when the latter proceeds on leave, and drawing an allowance for the extra work, or to that of the Senior Member of the Board of Revenue taking upon himself the duties of a certain deputy collector and thus earning an allowance for it. I wish to put it to the Government whether it is at all fair to a subordinate officer that the Head of his department should take over his work in addition in order to get an allowance. In such an event, whom should the aggrieved party go to? It seems to me that the principle underlying this procedure is very wrong, not to use a stronger word, and it is for this reason that I object to it. If it be contended that to fill the post of the Conservator, Utilization Circle, no suitable officer was available, I should like to point out that at that time there were many attached officers, some of whom belonged to the Imperial Service and others to the Provincial Service. Again, in regard to the post of Silviculturist, I should like to remark that there was an Indian officer available who had received special training in silviculture in Germany and other countries in Europe, and it was very unfair to have passed him over.

Mr. F. F. R. Channer: As regards the point raised by Mr. Mukandi Lal, I should like to tell him that the postings of Conservators are only made by the Government of India. It is true that the Local Government is always consulted as to whether a certain officer would be acceptable

to it or not, but generally it accepts the selection made by the Government of India, which is based both on seniority and suitability. The United Provinces have no doubt had recently two or three Conservators from other provinces; but we have had our turn too in the past. Mr. Mukandi Lal mentioned the post of the President, Research Institute, at Dehra Dun. In this connection I should like to point out to him that the first and second Presidents were both United Provinces men. I think the honourable member may be satisfied that the Government of India make their selections to these responsible posts with due regard to the interests of every province.

As regards the question of the honourable member for Naini Tal as to why the Chief Conservator of Forests did the work of the Conservator of the Utilization Circle when the latter went on leave, I should like to point out that the only really important work to be done was the work in connection with the companies. About this difficult work nobody in the province knew anything at all except Mr. Billson. It would indeed have been a great set-back if another officer who was new to the company work had been appointed in Mr. Canning's place. Further, Mr. Billson drew a very small allowance of Rs 300 per mensem for the extra work instead of the pay of a whole-time Conservator which resulted in a saving of Rs. 1,450 a month to the Utilization circle. As regards the Conservator, Working Plans circle, holding charge of the post of Silviculturist, the circumstances in this case were somewhat peculiar, and they are not likely to occur again. An Indian officer who was promoted from the Provincial Service to the Imperial Service was holding the post of silviculturist when his services were specially required by the Government of India and he was appointed as Botanist at Dehra Dun. He left somewhat in a hurry and we had no officer who was suitable for the post, and the Conservator decided to carry on the work rather than to entrust it either to an officer who had not the necessary scientific acquirements or to an officer who was too junior to carry on the work. In the circumstances, I think, that it was the best arrangement that could be made but I hope it will not occur again. Our general practice is that when an officer goes on leave he is replaced by another whole-time officer.

Mr. Mukandi Lal: I have not received any definite answers to my two questions. One was: What was the proportion at present of Indians in the superior service? Whether it was 75 per cent. or less?

The other point was that when four selection grade posts were meant for Indians, why no Indian of the Provincial Service has been, so far, promoted to that grade?

Mr. F. F. R. Channer: The proportion of Indians at present in the Imperial Forest Service is quite small. Three Indians have been promoted from the Provincial Service. The new arrangement made by the Secretary of State that 40 per cent of the recruitment to the Imperial Forest Service shall be Indians has only recently been given effect to. The recommendation of the Lee Commission is that that 40 per cent should be raised to 75 per cent. This method of selecting Indians has only been in force for the last two or three years. So far, out of nine recruits from England who have actually arrived, or are expected to arrive, six are Indians. So that the new system is being worked up to. About the selection grade. The question of the selection grade is one about which I found myself

[Mr. F. F. R. Channer.]

in a difficulty, and I was in sympathy with the grievances felt by the Provincial Service officers on this point; but a difficulty arose on account of the fact that it was held that the selection grade is meant for officers who have reached the top of the time-scale and who are not going to be promoted to the Imperial Forest Service. The Government have, however, now ordered that it is not necessary to have reached quite the top of the time-scale. In cases where an officer has done good work and has nearly reached the top of the time-scale, he will get the selection grade. One officer has already been promoted and the Government has promised that the promotion of two more should be considered in November next.

Motion negatived.

Maulvi Muhammad Obaid-ur-Rahman Khan: I beg to move that the demand of Rs. 7,26,775 in respect of the item regarding establishment at page 34 of the Detailed Estimates be reduced by Rs. 4,00,000.

If the honourable members will kindly look at page 34 of the detailed Estimates they will find that under the head "Establishment—rangers and deputy rangers—foresters and forest guards" nothing has been budgeted in the year 1924-25, but for the next year they have budgeted Rs. 2,15,310 and Rs. 2,40,362. When I first saw this new expenditure, I thought that new posts were being created and, therefore, I naturally wanted to obtain information as to the reason for the creation of such a large number of posts. Yesterday it was said that it was a shift from "salaries" to "establishment," but when I consulted the memorandum I did not find the reason for transferring this item from one place to another and I was much surprised to see that an item which was always budgeted under "salaries" was shifted to the head "establishment." I want to know what the reasons are for this change.

Mr. E. A. H. Blunt: I am not a very good thought reader, and consequently cannot say why these changes have been made. The deed has been done, not by me, but by the Accountant-General. As the honourable members by this time have discovered, he has been changing the places of figures and playing a game of "general post" with them. One year a figure is to be found at one place, the next year it is put in another. When accounts and audit have all been separated, as I hope they will be next year and we run our accounts, they will no longer be liable to these constant changes. I imagine the Accountant-General's reason in this case was that these officers are not gazetted officers. Consequently they should not be shown under "salaries." Their proper place is under "establishment." It is, of course, a fact that they have always been treated as gazetted officers for the purpose of the budget, and I suppose the change was merely due to the desire of the Accountant-General to obtain uniformity.

Motion by leave withdrawn.

Maulvi Muhammad Obaid-ur-Rahman Khan: I beg to move that the demand of Rs. 2,11,367 in respect of the item regarding allowances, honoraria, etc., at page 34 of the Detailed Estimates be reduced by Rs. 26,097.

If the honourable member will look at page 34 of the Detailed Estimates they will find that under the head "allowances, honoraria, etc.—travelling allowance" there is an increase of more than Rs. 26,000. For the year 1924-25 it was budgeted at Rs. 1,85,270.

The revised estimate is Rs. 1,92,660, but the budget estimate for 1925-26 is Rs. 1,99,113 under this item. For this I find one reason and it is this. There was a mistake of Rs. 20,000. The budget estimate for 1924-25 should have been Rs. 2,05,270.

Under the second item, house-rent and other allowances, there is quite a new sum of Rs. 11,420 in the revised estimate. The budget estimate for the present year is Rs. 12,254. For this increase I find no justification. Therefore I want this reduction.

Mr. F. F. R. Channer: The honourable member's objection, I gather, is that the figure which appears as 2, 11, in the budget of 1925-26 under allowances, honoraria, etc., appears in 1924-25 only as 1,85,250. The 2,11, of the present year includes an item of Rs. 12,254 for house rent and other allowances. The honourable member has remarked that this item and the corresponding item of Rs. 11,420 in the revised estimates do not appear in the original estimates. The reason for that is another of the Accountant-General's tricks which Mr. Blunt described just now. That item of Rs. 12,454, house rent and other allowances, and an item under salaries "deputation and special allowances" for Rs. 13,675 must be taken together; they correspond to Rs. 30,196 in the budget estimate of 1924-25 under "salaries, deputation and special allowances." In 1924-25 the Accountant-General showed all these allowances under one item under "salaries" and in the coming year he has divided them up into two portions, (1) deputation and special allowances under "salaries" and (2) house rent and other allowances under "allowances, honoraria, etc." That is the reason of that apparent increase of Rs. 12,000.

Taking travelling allowance by itself, it is Rs. 1,99,113 for the coming year, and it appears as Rs. 1,92,660 in the revised estimates. Here, again, I must lay the blame on the Accountant-General. If honourable members have time to pick out the items of travelling allowance from the detailed forest estimates, they will find that the total comes to Rs. 2,00,660 and therefore so far from there being an increase there is actually a small decrease under "travelling allowance" as presented in the detailed forest estimates themselves.

Motion by leave withdrawn.

Lala Mathura Prasad Mehrotra: I beg to move that the demand of Rs. 80,882 in respect of the item regarding allowances "B—establishment, Western circle" at page 18 of the Detailed Estimates be reduced by Rs. 6,612.

If the honourable members will turn to page 18 of the Detailed Estimates, they will find that in the year 1924-25 the amount budgeted was Rs. 64,270, but this year the proposed estimate is Rs. 80,882. The reduction that I have moved is the difference of these two figures. My point is this, that since last year the travelling allowance rules have been changed and one and three-fifths of the railway fare is now allowed instead of double. So there ought to be a reduction in the proposed estimate instead of any increase. I do not know the reason for this increase. The figure ought to have been surely reduced.

Mr. F. F. R. Channer: Referring to page 18 of the detailed forest estimates which the honourable member has referred to, if honourable members will look at the second column "original estimate for 1924-25" in which details are given and add up those details they will find that the total comes to Rs. 84,270 and not to Rs. 64,270. This wrong figure of

[Mr. F. F. R. Channer.]

Rs. 64,270 unfortunately crept into the last year's budget. The mistake was not noticed in time and the amount was passed by the Council at Rs. 64,270, so we had to accept it. If honourable members will refer to page 34 of the civil Detailed Estimates, they will see put at the bottom a footnote "(a) Due to a mistake of Rs. 20,000 in the total of the budget of the Western circle the demand fell short of that amount." Last year the original estimate should actually have been Rs. 84,270. The revised estimate is Rs. 79,439 which means a small saving on the original sum, and in the coming year the estimate is Rs. 80,882, a small excess over the revised estimate but quite an appreciable decrease over the original estimate of Rs. 84,270.

The honourable member mentioned that officers now get three-fifths of the railway fare instead of double when they travel by rail, but Forest officers do not travel by train very much. On the other hand they do draw a daily allowance for a good many days of the year. The rates of daily allowance have been raised and therefore I am in a position to justify an increase under "travelling allowance." On the other hand we have actually budgeted for a smaller sum, considering the actual original estimate of Rs. 84,270 for 1924-25.

Motion by leave withdrawn.

Lala Mathura Prasad Mehrotra : I beg to move that the demand of Rs. 92,970 in respect of the item regarding contingencies "B-establishment, Western circle," at page 18 of the Detailed Estimates be reduced by Rs. 8,200.

If honourable members will turn to page 18 of the Detailed Estimates, they will find that the revised estimate for 1924-25 is Rs. 84,470, while this year it is proposed to have Rs. 92,970. The amount that I want to reduce is the difference between these two sums. I do not know why the department requires an increase of Rs. 8,200 this year under "contingencies."

Mr. F. F. R. Channer : The explanations of these variations between the original estimate on page 18, Western circle, contingencies, the revised estimate and the proposal estimate lie in the detail given a little higher up in the same page, carriage of records and tents. It will be seen that the original estimate was Rs. 52,800, the revised fell to Rs. 34,585 and now we are asking for a larger sum than the revised estimate but still a good deal less than the original estimate. This is accounted for partly by the fact that we have got several new gazetted officers from England and there will be extra expenditure on their transport but the main reason for the variations lies in the rule introduced by Government as a result of the committee on *bardais*, that all officers should be provided with free transport. In the case of gazetted officers, they remain on tour constantly, and they have a fixed amount of transport and no difficulty arises in estimating how much it is going to cost, and it is provided accordingly. In the case of the subordinate establishment, it is very difficult. They only require transport occasionally, and it is extremely difficult to tell how much they want, and when they want it. Conditions vary enormously, and some rangers never need any transport at all, while as regards others it would be a great hardship not to give it to them. The orders of Government are framed so that divisional officers are responsible to see that only actual expenses are passed, and at the

same time, a maximum amount for each grade of subordinate officer is fixed, Rs. 30 a month in the case of rangers. Every subordinate officer immediately jumped to the conclusion that he was going to draw the maximum. The Conservator has a very difficult task in settling anything about this matter, and when the controversy was raging, practically nothing was drawn at all. That is why the amount appears so low in the revised estimate. We have now revised the figure more liberally at the same time, I hope, not on an extravagant scale.

Lieut. Raja Durga Narayan Singh : I am afraid, Sir, there is no quorum.

The Deputy President : The Secretary will count.

There being no quorum division, the bells were rung and a quorum was procured.

The Deputy President : Mr. Channer will continue his speech.

Mr. F. F. R. Channer : I have practically finished what I had to say.

Lala Mathura Prasad Mehrotra : I beg to withdraw the motion.

Motion by leave withdrawn.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : I beg to move that the demand of Rs. 13,84,711 in respect of the item regarding establishment at page 34 of the Detailed Estimates be reduced by Rs. 16,000.

Motion agreed to.

Pandit Govind Ballabh Pant : I move that the demand of Rs. 35,81,178 in respect of the item regarding forest at page 32 of the Detailed Estimates be reduced by Rs. 100. I had intended to say a number of things about the policy of the Forest department. At present I will only put one question and leave it at that. When did the Forest Board meet last? When is it going to meet again? Because I have been elected a member of that board and I am very eager to share the honour with the other members in the board. After some time I am afraid I may miss it, as there is only a year and three-quarters left now, and though nominally a member of the board, I may not have the privilege of attending the meeting. So I want to know whether its meetings are held once in a year or once in three years, whether the recommendation that was made by the Council when it wanted committees to be appointed for all the departments that every board should meet at least once in four months is going to be accepted by the Government and whether the Government will show any regard for that, whether the members of that board are or are not to be allowed to send in proposals for the considerations of that board.

The Hon'ble Mr. S. P. O'Donnell : We are quite prepared to consider the suggestion that members should be allowed to send in proposals for the consideration of the board. The practice hitherto has been that the board is summoned whenever there is a question of general policy to be examined. Hitherto, I understand, at least last year, there has been no particular question of general policy on which it seemed necessary to consult the board. But I quite appreciate the desire of the honourable member that the meetings should be more frequent. We will consider whether the rules cannot be assimilated to those of the

[The Hon'ble Mr. P. O'Donnell.]

Irrigation Board which allow resolutions to be sent in by members, but giving the President power to disallow. The practice in the Irrigation Board is that members send in resolutions and if there is no objection, these resolutions are put on the agenda. We shall consider whether the same rule cannot be adopted for the Forest Board also.

Mr. Mukandi Lal : Is it a fact or not that the last meeting of the Forest Board held in abeyance certain questions with a view to discuss them at the next meeting but that there has been no next meeting?

The Hon'ble Mr. S. P. O'Donnell : I have no personal knowledge, but I am informed that the question before the board was that two blocks should be disafforested and in the interval they were disafforested and so there was nothing to be discussed.

Pandit Govind Ballabh Pant : I do not press the motion.

Motion by leave withdrawn.

Pandit Govind Ballabh Pant : I move that the demand of Rs. 2,000 in respect of the item regarding railway expenditure at page 63 of the budget be reduced by Rs. 100. It relates to the sidings at Clutterbuckganj factory. Now that the Government has not got any work to do there and the companies are in charge of it, I see no reason why the provincial revenue should incur the expenditure.

Mr. F. F. R. Channer : The amount is payable by the Government as a contribution towards the upkeep of the siding for which the companies are liable to the Rohilkhand Kumaun Railway. The siding was made over to the companies on these terms that the Forest department should pay a contribution. At the time the budget was framed we were actually still using the siding. The payment is half-yearly and we have to make the payment for the last half-year at the beginning of the next financial year—and if we want to discontinue this payment we have to give six months' notice. Therefore we are committed to this amount for 1925-26. Whether we should give the six months' notice or the amount should no longer appear in the budget of the year hence is a question which I have sent up to the Government and is under consideration. In regard to the matter of our option of renewal that matter is being threshed out with the companies as to what the effect of our resignation will be. As soon as that has been settled, the whole question will be dealt with by the Government.

[The Hon'ble the President here resumed the Chair.]

Pandit Govind Ballabh Pant : May I request that it will not appear in the next budget?

Mr. F. F. R. Channer : I cannot say now, but I should think probably not.

Motion by leave withdrawn.

The net demand of Rs. 33,84,926 (Rs. 36,20,926 less Rs. 2,36,000) was put and voted.

Demand No. 24.

HEAD 52A—FOREST OUTLAY CHARGED TO CAPITAL.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : I have to convey to the Council the recommendation of His Excellency the

Governor for the grant of Rs. 3,51,000 towards the forest outlay charged to capital and I move that this sum be voted.

Lala Mathura Prasad Mehrotra : I beg to move that the demand of Rs. 3,51,000 in respect of the item regarding the construction of Nandhaur valley tram line in the Haldwani division—forest outlay charged to capital, at page 65 of the budget be reduced by Rs. 51,000.

The sum that has been demanded by the Government is Rs. 3,51,000 and consists of two items—3 lakhs for the completion of a tram line in the north of Gorakhpur and Rs. 51,000 for the new construction of a tram line in the Nandhaur valley. So far as the completion of the tram line north of Gorakhpur is concerned, I am whole-heartedly one with the Government. The work that has been begun should be finished at any cost, but as regards the construction of the new tram line at Nandhaur valley for which a sum of Rs. 51,000 is demanded, I think it is not right and is too much in the time of a deficit budget. We have a financial stringency and we can very easily postpone it till the next year. We have received a reduction in the provincial contribution this year and hope to receive a further reduction next year, and if this scheme is postponed for a year we will easily be able to bring that work and moreover the work that has been already begun will be completed by that time and there will be no further charge on account of that item. So I think the Government will be pleased to accept my reduction and postpone this scheme for a year.

Mr. E. A. H. Blunt : The honourable member is under a strange misapprehension. The note on page 65 of the memorandum reads thus : "This sum is required to complete the schemes begun in 1923-24 and in 1924-25, viz., Rs. 3,00,000 for the tramway in the north of Gorakhpur, and Rs. 51,000 for the construction of the Nandhaur valley tram line in the Haldwani division." So that they are neither new; they are both old. As a matter of fact the Nandhaur valley tram line is very nearly finished; all that is required is just this small sum to complete it.

Lala Mathura Prasad Mehrotra : I beg to withdraw my motion.

Motion by leave withdrawn.

The original demand of Rs. 3,51,000 was then put and voted.

Demand No. 25.

HEADS 13, 15, AND 16—IRRIGATION.

The Hon'ble Mr. S. P. O'Donnell : I beg to report to the Council the recommendation of His Excellency the Governor that under the head "irrigation expenditure charged to revenue" the sum of Rs. 48,59,525 be provided and to move that this sum be voted.

Lala Mathura Prasad Mehrotra : I beg to move that the demand of Rs. 7,96,000 in respect of the item regarding establishment—Ganges canal in the 1st circle, at page 7 of the detailed estimates be reduced by Rs. 1,00,000.

If the honourable members will turn to page 7 of the Detailed "Estimates on the Irrigation department they will find that last year the revised estimate for 1924-25 was only Rs. 5,74,175, while this year they want Rs. 7,96,000 for the establishment charges. So that there is an increase of Rs. 2,21,825 under "Establishment charges" of Ganges canal, 1st circle. The extra work that they are going to do, I understand,

[Lala Mathura Prasad Mehrotra,]

is the extension and improvements costing about a sum of Rs. 30,000 while as far as the maintenance and repair item is concerned there is a decrease of about Rs. 75,000. So that they will not have to do much work in this way. If they have to do something more in the way of extension and improvements, they have to do something less in the way of maintenance and repairs. I, therefore do not see any reason why they want to increase the establishment charges by Rs. 2,21,825.

Mr. Jwala Prasad : I find several motions as regards the question of establishment, and I therefore, wish to make a general statement that would cover all the questions under that head.

Under the head of "establishment" there is a lot of reduction in the expenditure which I think has not been noticed by the honourable member. Owing to the receipt of an amount of Rs. 11 lakhs from the Government of India under the loan fund for repairs to damages caused by the floods during the current year and to the establishment charges having been distributed *pro rata* in the various circles considered as units, those circles in which works were done under this fund have shown a decrease under "establishment" in the revised estimate for 1924-25 under the head "XIII—A—Productive works" and a corresponding increase under the major head "55 A—Productive works."

As the revenue during the year 1924-25 was greatly in deficit of that estimated, the lambardars' fees were also reduced in the revised estimate for 1924-25. Those have again been restored as the estimated revenue during the ensuing year has been fixed at Rs. 19,50,000 more than the revised figures for 1924-25 and thus show an increase under the minor head—establishment of the major head XIII—A—Productive works. If the revenue rises higher than the present estimate, a supplementary grant in October next will have to be applied for and should be welcome to the Council; because while the additional establishment charges for lambardars' fees will only cost Rs. 4-11-0 per cent. it will mean a net revenue of Rs. 95-5-0. The estimated figures that appear in the budget in some cases appear higher on account of these two causes. The total demand for open canals for the ensuing year under all the heads of establishment is Rs. 34,79,521 against the current year's budget estimate of Rs. 35,14,830; thus showing a decrease of 35,309. I think the honourable members should welcome the decrease of Rs. 35,309 on establishment on open canals with an increase of revenue of over 19 lakhs. The expenditure on open canals is much less than what was budgeted in the current year and the revenue is much greater. The increase on the Sarda canal for the current year under "establishment" amounts to Rs. 54,026 due to the provision of one more circle and two more divisions, I am making a general statement because there are several motions for reduction of establishment charges.

Mr. E. A. H. Blunt : I do not wish to repeat what my friend Mr. Jwala Prasad has said, but I would like to put the position before the honourable members in a different way. If they will look at pages 4 and 4A of the Detailed Estimates, they will find that the total figure for establishment in the budget estimate for the year 1924-25 amounted to Rs. 28,56,500. This figure is for establishment, both voted and non-voted. The revised figures for 1924-25 are Rs. 24,38,800, and the budget estimate for this year is Rs. 25,71,000. The honourable member knows

well why the revised figure for salaries is so often lower than the budget figure. The budget figure is based on the cadre as it stood at the time when the budget is framed, that is in November; and if people go on leave, there will be a decrease in expenditure under that head, because their leave salaries appear in another budget. Further, Mr. Jwala Prasad has explained the fact that we had to do a certain amount of work on account of flood damages out of loan funds and that part of the cost of the establishment has been debited to capital. I now come to the honourable member's own motion. He has taken one motion against the 1st Canal circle and I notice that he has got similar motions against other canal circles also. I am afraid that the honourable member does not understand what these figures mean. They are mere proportionate calculations. We take the entire work that is going to be done in all the canal circles and then divide the establishment proportionately according to the amount of work that is going to be done in each circle. The figure of Rs. 7,96,00 is entirely due to the fact that this year more work is going to be done in Canal Circle No. 1 than in others.

Lala Mathura Prasad Mehrotra : Will Mr. Blunt please note that the amount of work that is to be done this year is not very large? So far as extensions and improvements are concerned, the amount of work that is going to be done will cost Rs. 30,000 less, while under the item of "Maintenance and repairs" there is a reduction of Rs. 75,000.

Mr. E. A. H. Blunt : The honourable member is comparing budget with the revised. But that does not enter into the calculation. The total amount of work to be done all over the canals is added up and then the establishment is divided up proportionately according to the amount of work that is to be done in each circle. The figure will therefore vary from year to year. I can assure the honourable member that the whole thing is a matter of figures.

Motion by leave withdrawn.

Chaudhri Sheoraj Singh : I beg to move that the demand of Rs. 1,07,650 in respect of the item regarding superintending engineer at page 33 of the Detailed Estimates be reduced by Rs. 20,000.

The honourable members know that the Economy Committee recommended to abolish one post of superintending engineer and this proposal was accepted by the Government in their resolution. Further, I moved a motion during the last budget debate to abolish that post and it was accepted by the Hon'ble Finance Member. To my great surprise I find that provision has again been made for that post. I hope therefore the House will accept my motion.

The Hon'ble Mr. S. P. O'Donnell : We did abolish the post, or rather brought it under reduction. Then unfortunately the floods came. We had therefore an immense amount of extra work on our hands and it was found that we could not get on without an extra superintending engineer for the time being. We have a Superintending Engineer in charge of the important repairs that are being carried out on the Upper Ganges and other canals. The necessity for that Mr. Jwala Prasad will explain.

Mr. Jwala Prasad : We have budgeted for the post for five months only, because it has been found necessary to keep a superintending engineer for the Eastern Jumna, Katta Pathar and other canals, where the work has not yet been completed. As honourable members are aware,

[Mr. Jwala Prasad.]

the high floods do not come in July, but in September or October when soil is saturated and waste off from rains is high.

At the same time I should like to make one point clear to the honourable members of this House. They probably think that the superintending engineer annually costs just as much as a superintending engineer's pay multiplied by twelve. This is not the case. A senior executive engineer is put in charge as superintending engineer, a senior assistant executive engineer as executive engineer, and a senior sub-overseer as a sub-divisional officer. Thus the total cost on account of an extra superintending engineer comes on an average to about Rs. 500 or Rs. 600 a month instead of Rs. 1,750 a month. To my mind just for the sake of nearly Rs. 6,000 a year it would be very risky to abolish one post of a superintending engineer, especially when damages to our works have not yet been completed and not tested by the floods. My own impression is that expenditure of a few thousand rupees is more than amply repaid by the revenue that the Government receives in return on account of his superior knowledge and intelligence and experience. A cusec of water brings a revenue of nearly Rs. 1,000 to Government per year and many times more in outturn to the zamindars and cultivators and thus the services of a superintending engineer are of the greatest benefit to the tax-payer, about whose interests the Council is so anxious. If we want to prevent the possibility of a smash like the one that occurred last year, it is absolutely necessary that we should keep four superintending engineers on the open canals. A good deal of work has yet to be done, and so the services of a fourth superintending engineer should certainly be retained for this year at least.

Rai Bahadur Thakur Hanuman Singh: On account of the urgent necessity and increase of work as the result of the floods, this House can permit the retention of the post of superintending engineer, which it was decided to abolish last year; but the Government must give us an assurance that it will be kept as a temporary measure only, otherwise I am afraid the motion will have to be pressed to a division.

The Hon'ble Mr. S. P. O'Donnell: We are only keeping the post temporarily. At the end of the period for which it is being retained we will give the experiment a further trial and see whether it is possible to dispense with the post. The present Chief Engineer is of opinion that we made a mistake in deciding to reduce the number of superintending engineers, and his predecessor also was of the same opinion. Still, as soon as the temporary need for the post is gone, we will try the experiment again and see whether we cannot carry on with three superintending engineers.

Motion by leave withdrawn.

Chaudhri Sheoraj Singh: I beg to move that the demand of Rs. 1,92,199 in respect of the item regarding sub-overseers at page 35 of the Detailed Estimates be reduced by Rs. 3,000.

If honourable members will please turn to page 35 of the Detailed Estimates, they will find that, although the number of sub-overseers has been reduced from 248 to 245 this year, there is an increased provision of Rs. 3,658 in the budget for 1925-26. I should like to know what this increase is due to.

Mr. Jwala Prasad : The increase of Rs. 3,768 is due to some senior sub-overseers having reverted to sectional charges. This fact is corroborated by a reduction which has been made under the head "sub-divisional allowance" from Rs. 7,200 in the last year's budget to Rs. 900 in the current budget. This is only a nominal increase. As the sub-overseers have reverted to sectional charges, their pay has been shown under "sub-overseers" with a corresponding decrease in the item "sub-divisional allowance."

Motion by leave withdrawn.

Chaudhri Sheoraj Singh : I move that the demand of Rs. 2,18,812 in respect of the item regarding temporary establishment at page 35 of the Detailed Estimates be reduced by Rs. 33,000. Honourable members will find at page 35 of the Detailed Estimates that the sum budgeted for 1924-25 was Rs. 1,85,072 and the budget estimate for 1925-26 is Rs. 2,18,812. In this way there is an increase of Rs. 33,000, the reasons of which are not forthcoming. I therefore move that this increase be reduced.

Mr. B. D'O. Darley : This increase is almost entirely due to the formation of the subordinate engineering service. The sub-overseers already promoted to this service who are on deputation from open canals have had to get their increase and they are classed under temporary establishment because of their deputation to temporary posts. The increase given to men on open canals is shown in the figure following which is Rs. 65,416. This is the explanation of this increase.

Motion by leave withdrawn.

Chaudhri Sheoraj Singh : I move "that the demand of Rs. 4,36,962 at page 36 of the Detailed Estimates be reduced by Rs. 14,000.

If honourable members will please turn to page 36 they will find that under head "contingencies" there are items "ordinary," "permanent" and "temporary." The sum budgeted for ordinary is Rs. 1,93,388, for permanent is Rs. 93,530 and for temporary Rs. 1,45,044. It all comes to Rs. 4,36,962 and the amount budgeted for 1924-25 was Rs. 4,22,523. In this way there is an increase of Rs. 1,400. It is the tendency on the part of officers to get as much money as they can lay their hands upon under "contingencies." Under the head "contingency" so much money under the present financial stringency is not at all desirable. Contingencies can only be allowed when they are absolutely necessary. So, I move that the sum be reduced by Rs. 14,000.

Mr. B. D'O. Darley : Last year a sum of Rs. 1,25,000 was voted in lump for the formation of one circle for a superintending engineer and two divisions on the Sarda Canal details of these were not shown in the Detailed Estimates of the budget referred to by the honourable member. This increase is entirely due to this circle and the two divisions being kept on for 12 instead of five months of the present year. All these contingencies ordinary, permanent, and temporary are in connection with the Sarda Canal.

Motion negatived.

Chaudhri Sheoraj Singh : I beg to move that the demand of Rs. 65,100 in respect of the item regarding deputy magistrates at page 38 of the Detailed Estimates be reduced by Re. 1.

[Chaudhri Sheeraj Singh.]

This is a nominal reduction and my main object in moving this reduction is to protest strongly against the present method of recruitment of Deputy Magistrates in the Canal Department. The present method of recruitment in the Canal Department is very crude and is a remnant of the pre-reform methods under which posts are conferred on those to whom the authorities want to show favour irrespective of their suitability. We find that competitive examinations have been introduced in the case of all the gazetted posts in the Police department and in the Executive Department. We know that even the selection of Naib-Tahsildars and Sub-Inspectors of Police is made not by an individual officer but by a selection board. There is absolutely no reason then why the selection of so well-paid important officers as the Canal Deputy Magistrates should be left to the sweet will and fancy of one man and I do not see any reason why the mode of their recruitment should not be changed. With due respect to the honourable Chief Engineer of the open canals, who has been appointed very recently, I beg to submit that there are cases in which the claims of deserving and capable men have been overlooked and men of inferior ability have been appointed. This is a very serious matter and it deserves a very serious consideration. As a matter of principle, the appointment of a committee in this connection is a crying need. There is a general dissatisfaction and unrest among the ziladars from whom these Deputy Magistrates are promoted. I hope the Government will see their way to accept my suggestion.

Mr. Jwala Prasad: A similar question about this was put some time ago in the Legislative Council and an analogy was put forward that the selection in the Irrigation Branch for Deputy Magistrateships should be on the same lines as the selection from the Tahsildars for the post of Deputy Magistrate in the civil administration. It was found that the selection in the Civil department was made by the members of the Board of Revenue assisted by the Secretary. Similarly, in the case of the Irrigation Department the selection is made by the two Chief Engineers with the assistance of the Personal Assistant as the other Secretary. I think this practically constitutes a selection board in the case of the Irrigation Department and is analogous to that which exists in the case of the Civil Department. I do not think that a better selection board can be appointed than the one consisting of two Chief Engineers and the Personal Assistant. Surely it is not meant by the honourable member that somebody who knows nothing about the work of the ziladars from whom the selection is made should come forward and help us. Those who know the work, go through the record, and know the men for many years on account of their experience, are, I think, the most competent to select men for the posts of Deputy Magistrates. As regards any personal grievance, any ziladar can come forward and submit his representation and it would be considered by the two Chief Engineers, and if any mistake has been made, of course it will be rectified.

Chaudhri Sheoraj Singh: What is the constitution of the selection board? I could not follow the Chief Engineer.

Mr. Jwala Prasad: It consists of the two Chief Engineers and the Personal Assistant. No ziladar is promoted to the post of Deputy Magistrate without mutual consultation of the two Chief Engineers.

Mr. B. D'O. Darley : The honourable member seems to think that the Chief Engineer puts his finger haphazard on one of ziladars and promotes him to the post of Deputy Magistrate, but that is not the case. Ordinarily selection is made in this manner. When a ziladar is reported by his immediate superior—the executive engineer—as fit for the post of a Deputy Magistrate, he goes on the list of men from whom selection should be made and year by year, as vacancies occur, his name goes further up. If he gets further recommendations from his executive engineers he gradually goes to the top of this list and in the ordinary course of events when a post falls vacant, the top man is selected. Personally I have seen no case in which the top man, that is, the man who has most recommendations from his executive engineers has not been picked for the post. The selection is not made in a haphazard manner, but it is really based on the recommendations of the numerous officers.

The question was put and the Council divided as below:—

Ayes (7).

Chaudhri Jaswant Singh.
Chaudhri Sheoraj Singh.
Thakur Rajkumar Singh.
Rao Sahib Kunwar Sardar Singh.

Pandit Hargovind Pant.
Mr. Mukandi Lal.
Maulvi Zahur-ud-din.

Noes (25).

The Hon'ble Mr. S. P. O'Donnell,
The Hon'ble Raja Sir Muhammad Ali
Muhammad Khan, Khan Bahadur.
The Hon'ble Lieut. Nawab Muhammad
Ahmad Sa'id Khan.
The Hon'ble Rai Rajeshwar Bali.
Mr. G. B. Lambert.
Mr. E. A. H. Blunt.
Kunwar Jagdish Prasad.
Mr. G. B. F. Muir.
Mr. A. C. Verrières.
Mr. C. E. D. Peters.
Mr. B. D'O. Darley.

Mr. S. H. Fremantle.
Mr. R. Burn.
Mr. Jwala Prasad.
Mr. C. M. King.
Mr. F. F. R. Channer.
Colonel A. W. R. Cochrane.
Mr. A. H. Mackenzie.
Mr. G. Clarke.
Mr. H. David.
Babu Khem Chand.
Rai Bahadur Babu Ram Nath Bhargava.
Rai Bahadur Thakur Hanuman Singh.
Bhaya Hanumat Prasad Singh.
Rai Bahadur Thakur Mashal Singh.

Motion negatived.

Chaudhri Jaswant Singh : I beg to move that the demand of Rs. 2,500 in respect of the item regarding 16-B—construction of irrigation works financed from general revenues 55-A (2) at page 5 of the Detailed Estimates be omitted.

At page 5 I pointed out that Rs. 2,500 for 1925-26 financed from ordinary revenues should be omitted. In respect of other irrigation works I see no such figures here in any of the previous years. I do not know the reason why this figure of Rs. 2,500 has been put down here for this year. Secondly, my idea is that the money needed for this work may best be apportioned from the famine relief fund which is accumulating every year. The increase is due mainly to the floods and therefore the money for this purpose should be taken from the famine relief fund instead of from the general revenues which will have the effect of starving the poor people.

Mr. E. A. H. Blunt : This Rs. 2,500 represents a small sum which is intended to be spent on the Ghazi-ud-din Hyder canal with the object mainly of destroying the man-eating mosquitoes of Lucknow which

[Mr. E. A. Blunt.]

cause a considerable amount of trouble, amongst others, to the Hon'ble the Finance Member, whom they seem to find especially luscious. It is a new item here because it formerly appeared under another head No. 55. As a matter of fact it still appears there because it is being actually financed in a particular way. I do not want to take the honourable members through a lot of uninteresting details, but it has to be placed under another head and then retransferred to this head so as to get it right from the accounts point of view. We have not done that before. This year we are doing it. This is the reason why it appears for the first time. There is no increase. There was expenditure last year but it was put in another place.

Motion by leave withdrawn.

The Hon'ble the President: The question is that the sum of Rs. 48,59,525 under head of account XIII—irrigation expenditure charged to revenue, XV—Miscellaneous irrigation expenditure and XVI—other irrigation works, be granted.

The demand was voted.

The Council was then adjourned to the following day.

LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

Saturday, 28th March, 1925.

THE Council met in the Council Chamber, Lucknow, at 11 a.m.
The Hon'ble the President in the Chair.

PRESENT :

The Hon'ble Mr. S. P. O'Donnell.
The Hon'ble Raja Sir Muhammad Ali
Muhammad Khan, Khan Bahadur.
The Hon'ble Lieut. Nawab Muhammad
Ahmad Sa'id Khan.
The Hon'ble Rai Rajeshwar Bali.
Mr. G. B. Lambert.
Mr. E. A. H. Blunt.
Kunwar Jagdish Prasad.
Mr. G. B. F. Muir.
Mr. A. C. Verrières.
Mr. C. E. D. Peters.
Mr. B. D'O. Darley.
Mr. S. H. Fremantle.
Mr. R. Burn
Mr. Jwala Prasad.
Mr. C. M. King.
Mr. F. F. R. Channer.
Mr. A. D. Ashdown.
Colonel A. W. R. Cochrane.
Mr. A. H. Mackenzie.
Mr. G. Clarke.
Raja Bahadur Brij Narayan Rai.
Mr. H. C. Desanges.
Mr. H. David.
Babu Khem Chand.
Babu Narayan Prasad Arora.
Babu Mohan Lal Sakseena.
Babu Damodar Das.
Babu Jai Narayan Chaudhri.
Babu Bhagwati Sahai Bedar.
Thakur Manjit Singh Rathor.
2nd-Lieut. Chaudhri Balwant Singh.
Rai Jagdish Prasad Sahib.
Chandhri Jaswant Singh.
Chandhri Sheoraj Singh
Lala Babu Lal.
Thakur Rajkumar Singh.
Thakur Shib Narayan Singh.
Rai Bahadur Babu Ram Nath Bhargava.
Rai Bahadur Pandit Kharagjit Misra.

Lala Dhakan Lal.
Babu Nemi Saran.
Chaudhri Badan Singh.
Rao Sabib Kunwar Sardar Singh.
Thakur Sadho Singh.
Pandit Brijnandan Prasad Misra.
Pandit Jhanni Lal Pande.
Lieut. Raja Durga Narayan Singh.
Pandit Sri Krishna Dutt Paliwal.
Babu Parsidh Narayan Anad.
Rai Bahadur Thakur Hanuman Singh.
Bhaya Hanumat Prasad Singh.
Pandit Govind Ballabh Pant.
Pandit Hargovind Pant.
Mr. Mukandi Lal.
Babu Ram Chandra Sinha.
Kunwar Rajendra Singh.
Rai Bahadur Thakur Mashal Singh.
Babu Bindeshwari Prasad.
Mr. Muhammad Zahur Ahmad.
Dr. Muhammad Naim Ansari.
Mr. Muhammad Aslam Saifi.
Maulvi Zahur-ud-din.
Rao Abdul Hamid Khan.
Khan Bahadur Chaudhri Amir Hasan
Khan.
Maulvi Muhammad Obaid-ur-Rahman Khan
Khan Bahadur Shaikh Masud-uz-Zaman.
Saiyid Muhammad Ashiq Husain.
Khan Bahadur Maulvi Fasih-ud-din.
Mr. Ashiq Hussain Mirza.
Khan Bahadur Munshi Siddiq Ahmad.
Qazi Habib Ashraf.
Raja Saiyid Ahmad Ali Khan Alvi.
Khan Bahadur Chaudhri Muhammad
Rashid-ud din Ashraf.
Mr. St. George H. S. Jackson.
Lala Mathura Prasad Mehrotra.
Raja Shambhu Dayal.
Lieut. Raja Shaikh Imtiaz Rasul Khan.
Raja Jagannath Bakhsh Singh.

DEATH OF LORD RAWLINSON.

The Hon'ble the President : The Council will learn with deep regret of the death early this morning of Lord Rawlinson, Commander-in-Chief in India. When a great man dies, a man who has filled a great place and shared in great affairs, controversy is hushed. Opinions, favourable or unfavourable, yield before the sombre and impressive circumstance of death. The services that Lord Rawlinson rendered in the great war to his country, and through his country to every country that values freedom and the honour of nations is part of history. There have been men who in their lives have upheld the standard of causes that provoked great and even enduring controversies. When death comes, controversy is stilled. It did not indeed fall to the lot of Lord Rawlinson to mingle in controversy. On the very few occasions in which he did enter that field, men realized his words were the plain words of a soldier. They might provoke disagreement, but they did not provoke bitter or implacable controversy. Lord Rawlinson was a man who, during the time that he was in India, earned special claims on our gratitude. He accomplished reorganizations of the army of a most important nature. He dealt with the frontier problem in a way that will probably be enduring. And apart from his public life every man who came in contact with him recognized in Lord Rawlinson a great gentleman. It is merely for me here to express what, I believe, is the feeling of this Council, a feeling of sorrow, a feeling of loss at the passing of a great servant of the Crown.

QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

DEMOLITION OF THE SESSIONS HOUSE AT BASTI.

*1. **Maulvi Abdul Hakim :** Will the Government be pleased to re-examine the question of the demolition of the present Sessions house at Basti and take expert advice in regard to its fitness for future use ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : The District Engineer, who has been consulted, reports that the building is in a fairly good condition and there is no necessity of demolishing it until the extension of the subordinate judge's court buildings is taken in hand. The High Court is being consulted further in the matter.

ARMS LICENCES.

*2. **Pandit Govind Ballabh Pant :** How many licences of guns other than muzzle-loading are held by the agriculturists in the districts of Almora, Garhwal and Naini Tal respectively ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan :

Almora	::	::	::	::	::	2
Garhwal	::	::	::	::	::	5
Naini Tal	::	::	::	::	::	Nil

Pandit Govind Ballabh Pant : Will the Government be pleased to direct the local officers to be more generous in granting licences to agriculturists ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Government will consider it.

***3. Pandit Govind Ballabh Pant :** (a) Are the holders of arms licences for agricultural purposes debarred from shooting in civil forests or in *benap* land in Kumaun ?

(b) Is it a fact that forests encircle most of the villages and the *nap* fields are interspersed with *benap* in the hills ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : (a) Yes. Only persons who hold licences in form XVI and are given permits are allowed to shoot in civil forests and *benap*.

(b) This is sometimes, but not usually, the case.

Pandit Govind Ballabh Pant : Can the Government state that there is not a single case in which a land intervening between two measured fields is not *benap* .

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : No restriction applies in such cases.

***4. Pandit Govind Ballabh Pant :** Are the holders of arms licences for the destruction of wild beasts allowed by rules to chase wild beasts into reserved or protected forests ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : No. Shooting in reserved or protected forest is only allowed to those persons who hold permits and pay the prescribed fees.

Pandit Govind Ballabh Pant : Will the Government be pleased to consider the question of shooting in forests by licence-holders, as I was given to understand yesterday ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Yes.

TOWN AREAS.

***5. Hafiz Hidayat Husain :** Will the Government be pleased to lay on the table a list of all town areas to which enactments in force in municipalities have been extended under section 38 of the Town Areas Act ?

What enactments have been extended and to which of the town areas ?

The Hon'ble Rai Rajeshwar Bali : (i) Certain provisions of law in force in municipalities have been extended to every town area. A list of town areas is to be found in the Town Area Manual.

(ii) If the honourable member will put a question in regard to the particular town areas in which he is interested, the information will be supplied.

INDIGENOUS SYSTEMS OF MEDICINE.

***6. Rai Fakadur Thakur Hanuman Singh :** Will the Government be pleased to state the action which it has taken on the resolution which was moved by Thakur Manik Singh and carried in an amended form on the 14th December, 1922, regarding the rehabilitation of the indigenous systems of medicine ?

The Hon'ble Rai Rajeshwar Bali : The matter is being referred to a committee for report and advice.

COMPLAINT AGAINST NAIB-TAHSILDAR, PITHAURAGARH, ALMORA.

*7. **Pandit Hargovind Pant** : Is the Government aware that a complaint under section 497, Indian Penal Code, was made against the naib-tahsildar of Pithauragarh, district Almora, by one Dharma Nand Bhatt, with the result that the former was acquitted on the 3rd of January, 1925 ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Yes.

*8. **Pandit Hargovind Pant** : Has the Government received any representation on the matter from the residents of pargana Sora ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Yes.

*9. **Pandit Hargovind Pant** : Does the Government propose taking any steps on the aforesaid representation ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : No.

RELEASE OF BAGESHWAR PRISONERS.

*10. **Pandit Hargovind Pant** : When are the Bageshwar prisoners, Lala Shiam Lal, Thakur Nar Singh, Pandit Kirti Ballabh Pant and Pandit Gopal Dat Bhatt, undergoing their sentences in the Central Jail, Bareilly, to be released ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : The question is still under consideration of the Government.

*16. **Pandit Govind Ballabh Pant** : (a) Will the Government be pleased to state which of the Bageshwar convicts are still undergoing imprisonment ?

(b) What term of imprisonment has each of them undergone and what is still outstanding ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : (a) Nar Singh, Kirti Ballabh, Gopal Dat Bhatt and Shiam Lal are still undergoing imprisonment.

(b) The honourable member is referred to the statement laid on the table with reference to starred question No. 34 of the 28th February, 1924, which shows the sentences passed on these prisoners and the dates of conviction.

Pandit Govind Ballabh Pant : Was Mr. Mohan Joshi, who has been released, sentenced to a longer term of imprisonment than these persons ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Yes. Mr. Victor Mohan Joshi was released under special circumstances owing to the death of his father and other special reasons.

Pandit Govind Ballabh Pant : Were there other persons who were convicted for a similar offence, namely, Messrs. Deb Singh, Bhagnath and Kundan Lal ? Have they been released ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : I ask for notice.

Pandit Govind Ballabh Pant : Is it a fact that the charge against these prisoners was not more serious than that against those who have been released ? Why have they not been released ? When will Government issue final orders about these prisoners ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : This is still under the consideration of the Government, and I shall not say anything more.

Pandit Govind Ballabh Pant : Are these persons going to be transferred to jails in the hills?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : The question will be considered.

BADRINATH AND GANGOTRI PILGRIMAGE ROUTES.

***17. Thakur Manjit Singh Rathor :** (1) Will the Government be pleased to make a statement as to the condition of Badrinath and Gangotri pilgrimage routes as they are likely to be at the end of March, 1925?

(2) (a) Are the pilgrimage routes safe for general public traffic after the recent floods?

(b) If not, which particular routes to these two centres of pilgrimage do the Government recommend to the public?

The Hon'ble Rai Rajeshwar Bali : (1) The road leading to Badrinath is being repaired, and it is expected that the repair will be completed by the end of April next. The bridges at Randhi, Byasghat and Deoprayag will be not ready before the end of May, but the traffic can be passed by diversions made in the bed of the first two streams and by a jhula at the third. At Lachmanjhula two mahants have a couple of small boats each capable of taking from eight to twelve passengers across the river. The whole of the route leading to Gangotri lies in the Tehri State, but is said to be passable.

(2) (a) Both routes are believed to be safe, but pilgrims may experience some inconvenience.

(b) Does not arise.

Mr. Mukandi Lal : Will it be possible to cross the river in the rainy season also by boats at Lachmanjhula?

The Hon'ble Rai Rajeshwar Bali : Probably not.

Mr. Mukandi Lal : In that case will the Government see that the pilgrim route is diverted *via* Kotdwara in the rainy season? Pilgrims should be warned that in the rainy season they should go *via* Kotdwara.

The Hon'ble Rai Rajeshwar Bali : They have been warned about routes.

CHAURI CHAURA MEMORIAL.

***18. Thakur Manjit Singh Rathor :** What is the description of the memorial erected at Gorakhpur in commemoration of the tragic incidents of the Chauri Chaura riots?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : It is understood that the Inspector-General of Police has shown the honourable member photographs of the memorial.

***19. Thakur Manjit Singh Rathor :** How much money was spent on the memorial? How much (a) from the Government grants, (b) district or municipal board funds, (c) public subscriptions?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : The memorial cost Rs. 3,000. The whole of this amount was met by public subscriptions from the public and the police.

*20. **Thakur Manjit Singh Rathor** : What is the inscription on the memorial ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : The inscription on the top is " To Guard my People," which is the inscription on the King's Police Medal. Below there is a further inscription " Erected to the memory of twenty-three police officers and chaukidars who were killed near this spot in the execution of their duty by rioters on the 4th February, 1922."

*21. **Thakur Manjit Singh Rathor** : How much money was given to the families of the police constables, etc., who died in or as a result of the riots or otherwise suffered seriously ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Gratuities amounting to Rs. 3,480 were given by Government to dependents of the victims of the outrage. Pensions ranging from Rs. 13 to Rs. 42-8-0 a month have been given to families of 24 victims of the outrage. In addition to these sums sanctioned by Government, more than Rs. 15,000 was given to those families from subscriptions raised in the Gorakhpur district. The balance of the amount at the credit of the Chauri Chaura Police Relief Fund is being utilized for the grant of scholarships to the children of the deceased officers and, when they have been provided for, for the sons of other head-constables, naiks and constables who are killed or die in service.

*22. **Thakur Manjit Singh Rathor** : (a) How much money was spent by the Publicity department in printing an album of the photographs of the different incidents of the riots ?

(b) How many copies were published ?

(c) How many were sold ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : (a) None. The photographs were reproduced at the Government Press and the expense was borne by the Press budget.

(b) 4,000 copies were printed.

(c) None.

*23. **Thakur Manjit Singh Rathor** : Was the album meant for private circulation only ? Why ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Yes. Because of their gruesome character.

Mr. Mukandi Lal : The question was, was the album meant for private circulation. Is it private circulation of the Government or of the people concerned ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : It is not for private circulation of the people.

EUROPEAN SCHOOLS AND COLLEGES.

*24. **Pandit Bhagwat Narayan Bhargava** : (1) How many European schools and colleges are there in the United Provinces and what is the total amount of grants made to them by the Government ?

(2) What is the expenditure per student in these institutions ?

(3) Is there any rule requiring those institutions to admit at least 15 per cent. Indian students ?

(4) In how many and which schools has this rule been observed ?

(5) What is the total number of students in all these institutions in the United Provinces and how many of them are Indians ?

(6) How many Indian teachers are there in these institutions ?

The Hon'ble Mr. S. P. O'Donnell : (1) and (2) The honourable member is referred to general table VII of the annual general report on Public Instruction in these provinces.

(3) No. The honourable member is referred to; paragraph 9(d) of the Code of Regulations for European schools.

(4) Does not arise.

(5) The total number of scholars in European schools (boys and girls) on the 31st March, 1924 was 5,849. Four hundred and thirty-three of this number were non-Europeans, the majority being Indians.

(6) The majority of those schools are maintained by missions of various churches. With the exception of the teaching members of these missions and a very small number of teachers recruited in Europe or America for special posts, all the teachers in these schools are natives of India, either statutory or by origin. They include about thirty teachers of purely Indian origin.

DAMAGED BRIDGES AND ROADS IN KUMAUN,

* 25. **Mr. Mukandi Lal :** What amount has been granted by the Government to the district board and the Public Works department respectively as special contributions to repair roads and bridges damaged by the September rains in each of the districts of Garhwal, Almora and Naini Tal ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No grants have yet been made by Government for special monsoon repairs to district board roads and bridges. The amounts sanctioned for special monsoon repairs to provincial roads and bridges are:—

				Rs.
Naini Tal	...	...	...	1,75,500
Almora	...	...	...	42,465
Garhwal	...	...	...	2,16,000

* 26. **Mr. Mukandi Lal :** What is the estimated loss to the Public Works department and district boards in the three districts of Kumaun on account of the damages to roads and bridges in the said district ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The necessary information has not yet been obtained.

IRON MATERIAL STORED IN CENTRAL PRISON, LUCKNOW.

* 27. **Babu Bhagwati Sahai Bedar :** (1) Will the Government be pleased to state—

(a) the total value of iron material stored in the Lucknow Central Prison in 1918, 1919 and 1920 ;

(b) the dates and total amount for which it was sold ?

(2) Was this sale made under the order or by the permission of the Inspector-General of Prisons?

(3) If not, what action was taken against the man responsible for the sale?

(4) If no action has been taken, kindly state reasons?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : (1) (a) The total value is not known.

(b) Only unserviceable and old iron materials were sold. The amount realized were Rs. 50 in 1922 and Rs. 410 in 1923.

(2) The material was sold under the orders of the superintendent. The sanction of the Inspector-General is not required for the sale of condemned and unserviceable articles.

(3) Does not arise.

(4) Does not arise.

SPECIAL CONSTABLES DURING MUHARRAM OR DASEHRA AT KASGANJ.

* 28. **Pandit Erijnandan Prasad Misra :** (a) Will the Government give the names and status of the persons that were appointed special constables by the authorities at Kasganj in Etah district on the occasion of the *Muharram* or *Dasehra* in 1924?

(b) What reasons lead the district authorities to enlist special constables there?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : (a) A statement is laid on the honourable member's table.

(b) Special police were appointed to assist the authorities to preserve peace. A serious riot took place in Kasganj in 1923.

Statement referred to in the reply to starred question No. 28 for the 28th March, 1925.

Serial number.	Names.	Serial number.	Names.
1	Babu Mahendrapal Singh.	16	Babu Ram, Vakil, Kayastha.
2	Chaudhri Banwari Lal.	17	P. C. Dutt.
3	Boharey Madan Lal.	18	Lala Maharaj Singh, Jain.
4	Boharey Kandhaya Lal.	19	Lala Shib Charan Lal, Kothiwal.
5	Boharey Uttam Chand.	20	Lala Shyam Lal, Kothiwal.
6	Seth Kishorey Lal.	21	Lala Shib Charan Lal.
7	Seth Hoti Lal.	22	Lala Janki Prasad.
8	Lala Babu Ram Gupta, Vakil.	23	Lala Faqir Chand.
9	Lala Durga Prasad.	24	Lala Babu Ram.
10	Boharey Mathura Dass.	25	Lala Bansidhar.
11	Lala Methu Lal.	26	Babu Madan Lal, Saubharwale.
12	Lala Umrao Bahadur.	27	Nirajan Lal, Potdar.
13	Sham Sundar Lal.	28	Muhammad Ahmad Khan, Vakil.
14	Babu Chhotey Lal, Mukhtar.	29	Saqi Muhammad Khan.
15	Lala Churanji Lal.	30	M. Iqbal Husain, Mukhtar.

Serial number.	Names.	Serial number.	Names.
31	M. Abdul Sattar, Contractor.	46	M. Zahoor Ahmad Khan.
32	Gokul Chand, Kothiwal.	47	Muhammad Usman Khan.
33	Lala Ajodhia Prasad.	48	Mushki.
34	Master Baghonandan Lal.	49	Monaur.
35	Chaubey Amba Dutt.	50	Abdul Wahid Khan.
36	Kesbab Deo.	51	Nanhey Khan, son of Jektan Khan.
37	Ram Prasad.	52	Mangalia.
38	Dwarka Prasad.	53	Bahadur Ali.
39	Bihari Lal Capoor.	54	Abdul Hakim.
40	Manpal Gupta.	55	Shamsher Khan.
41	Naubat Ram, Sonar.	56	Muthra Dass, Mahajan.
42	Muhammad Abdul Rahman Khan.	57	Pandit Dhuri Lal.
43	Chandhri Karim-ullah.	58	Nathu Ram, Halwai.
44	Syed Hasan Jan.	59	Pandit Murari Lal.
45	Muhammad Abdul Sattar Khan, Mukhtar.	60	Boharey Ishwar Dass.

NOTE.—Numbers 1 to 32 are men of some local influence and wealth.

Numbers 33 to 60 are men of no particular standing who are chiefly prominent in fomenting communal differences.

UNSTARRED QUESTIONS.

HONORARY MAGISTRATES IN MUZAFFARNAGAR.

1. **Rai Jagdish Prasad Sahib** : Will the Government be pleased to state the number of honorary magistrates in the Muzaffarnagar district who are not members of any bench but are empowered to hold their courts singly ?

(b) How many of these honorary special magistrates are Hindus and how many Muhammadans ?

Mr. J. R. W. Bennett : (a) Six.

(b) All are Muhammadans.

REPRESENTATION OF DEPRESSED CLASSES ON VILLAGE PANCHAYATS.

2. **Babu Khem Chand** : (a) Will the Government be pleased to lay a statement on the table showing how many village *panchayats* are in these provinces ?

(b) Will the Government be further pleased to state if there is any member of the depressed classes, whether elected or nominated, in any of these village *panchayats* ? If so, please state how many and where ?

Mr. G. B. F. Muir : (a) Total number of village *panchayats* in the province is 4,568.

(b) Yes, a statement is laid on the honourable member's table.

Enclosure to answer to unstarred question No. 2 for the 28th March, 1925.

Name of district.	Number of members of depressed classes in village panchayats.	Name of district.	Number of members of depressed classes in village panchayats.
Saharanpur	59	Mirzapur	22
Meerut	1	Ghazipur	16
Muttra	2	Ballia	37
Agra	19	Naini Tal	3
Etah	3	Almora	6
Bareilly	4	Lucknow	271
Bijnor	56	Unao	15
Budaun	41	Rae Bareli	3
Moradabad	4	Sitapur	3
Shahjahanpur	24	Kheri	10
Pilibhit	29	Gonda	4
Farrukhabad	12	Sultanpur	11
Etawah	4	Partabgarh	22
Allahabad	103	Bara Banki	9
Hamirpur	16		
Jalaun	7		
Benares	22	Total	837

REPRESENTATION OF DEPRESSED CLASSES ON NOTIFIED AREA COMMITTEES.

3. **Babu Khem Chand :** (a) Will the Government be pleased to lay a statement on the table showing how many Notified Area Committees are in these provinces?

(b) Will the Government be further pleased to state if there is any member of depressed classes, whether elected or nominated, on any Notified Area Committee? If so, how many and where?

Mr. G. B. F. Muir : (a) There are 48 Notified Area Committees.

(b) There is one elected member at Anupshahr.

REPRESENTATION OF DEPRESSED CLASSES ON MUNICIPAL BOARDS.

4. **Babu Khem Chand :** (a) Will the Government be pleased to state if any members of the depressed classes were either elected or nominated in the last elections in any municipality? If so, please state how many were elected or nominated and where?

(b) Will the Government be further pleased to state if any members of the depressed classes applied to be nominated as municipal commissioners? If yes, with what result?

Mr. G. B. F. Muir : (a) Yes. One member of the depressed classes was elected in each of the Lucknow and Almora municipalities. One was nominated as a candidate for election in each of the Kairana and Etah municipalities.

(b) The answer is in the negative.

NOTIFIED AREA COMMITTEE, RAMNAGAR.

5. **Pandit Govind Ballabh Pant :** (a) What was the cash balance of the Notified Area Committee, Ramnagar, on the 1st of April, 1922, 1923 and 1924, respectively?

(b) What was the amount at the disposal of the committee on the 1st of July this year?

(c) Is the committee to be reconstituted on an elective basis from next April?

(d) Is it a fact that the present committee consisting of nominated members and official chairman is proposing to spend the accumulated balance before the expiry of their terms? If so, will the Government be pleased to direct them not to spend any money on any fresh project so that the elected committee may have a voice in making proper use of it?

Mr. G. B. F. Muir : (a) The cash balance on the 1st April, 1922, 1923 and 1924 was Rs. 10,835, Rs. 13,500 and Rs. 15,697 respectively.

(b) Rupees 12,263.

(c) The committee as reconstituted will consist of three elected members out of a total of five members.

(d) It is proposed to spend Rs. 7,834 on projects of undoubted utility. None of the projects are new as they were sanctioned when the budget was prepared. Hence the second part of the question does not arise.

DISTRICT AND MUNICIPAL BOARDS.

6. **Babu Parsidh Narayan Anad :** Will the Government be pleased to state—

(a) the names of district and municipal boards that are working under deficit balance; and

(b) what percentage of income (excluding the advances) do they spend on the management and staffs?

Mr. G. B. F. Muir : The honourable member is referred to the annual reports on the working of the municipal and district boards.

DRINKING WELLS.

7. **Babu Parsidh Narayan Anad :** Will the Government be pleased to state the number of villages with their names, if possible, in the districts of Allahabad and Fatehpur where there are no drinking wells?

Mr. G. B. F. Muir : Inquiry has been made and the information is not yet available.

GOVERNMENT'S ACTION ON RESOLUTIONS ADOPTED BY THE COUNCIL.

8. **Babu Parsidh Narayan Anad :** Will the Government be pleased to place on the table a statement furnishing particulars regarding the action taken on each resolution passed by the reformed Legislative Council up to date since its constitution?

Mr. J. R. W. Bennett : For the action taken on resolutions up to the end of February, 1924 the honourable member is referred to the statement laid on the table on the 8th March, 1924, in answer to starred question No. 22 of that date. For the action taken on subsequent resolutions up to the end of 1924 the honourable member is referred to the statement laid on the table in answer to starred question No. 21 of the 26th March, 1925.

9. **Babu Parsidh Narayan Anad**: Will the Government be pleased to lay on the table a list of resolutions which were passed by the Legislative Council during the course of the year 1924, but have not yet been given effect to by the Government, and state whether or not they propose to give effect to them in the near future, with reasons for the delay or inability, as the case may be, in giving effect to them?

Mr. J. R. W. Bennett: The honourable member is referred to the answer given to unstarred question No. 8. In cases where no action has been taken by Government he is referred for the reasons to the debate on each resolution.

EXPENDITURE ON DIFFERENT KINDS OF EDUCATION.

10. **Babu Parsidh Narayan Anad**: (a) Will the Government be pleased to lay on the table a statement showing the amount spent by the Government during the last four years on—

- (i) general education (both secondary and higher);
- (ii) medical education;
- (iii) engineering and technical education;
- (iv) commercial education?

(b) Will the Government be pleased to state whether it is in contemplation to provide more funds for commercial education?

Kunwar Jagdish Prasad :

				Rs.
(a)	(i)	1920-21	...	1,18,54,000
		1921-22	...	1,45,62,000
		1922-23	...	1,32,34,000
		1923-24	...	1,55,30,000
	(ii)	1920-21	...	6,04,195
		1921-22	...	5,22,726
		1922-23	...	5,36,537
		1923-24	...	5,46,237
	(iii)	1920-21	...	8,28,525
		1921-22	...	10,41,182
		1922-23	...	15,43,722
		1923-24	...	12,83,777
	(iv)	1920-21	...	6,660
		1921-22	...	20,899
		1922-23	...	23,374
		1923-24	...	31,934

(b) Yes, according to needs as far as funds are available and are sanctioned for the purpose.

DIVORCE SUITS BY MUSLIMS.

11. **Dr. Shafa'at Ahmad Khan**: (1) Will the Government be pleased to state the number of suits brought by Muslims during the years 1914 to 1924 for divorce, or to declare the marriage void, in the courts of Lucknow, Moradabad, Meerut, Agra, Bareilly, Shahjahanpur, Jaunpur, Saharanpur, Nagina, Budaun and Bijnor?

(2) Will the Government be pleased to state in how many of the above districts registers of marriage and divorce exist? Are there any licensed *qazis* in any of these districts? If so, how many are there in each?

Mr. J. R. W. Bennett : A statement is laid on the table summarizing the information received from the District Judges concerned.

Statement referred to in reply to unstarred question No. 11 for 28th March, 1925.

Place.	Number of suits brought during 1914 to 1924 for divorce or to declare marriage void.	Whether registers of marriages or divorce are kept or not.	Number of licensed <i>qazis</i> .
Lucknow	16	No .. ..	..
Moradabad	Information not available.	Yes	1
Meerut	5	Yes	Number not known.
Agra	12	No .. ..	..
Bareilly	5	Information not available.	Information not available.
Shahjahanpur	4	.. ..	1
Jaunpur	6	No .. ..	..
Saharanpur	10	No .. ..	..
Nagina	Information not available.	.. ..	..
Budaun	7	.. ..	1
Bijnor	Information not available.	Yes	15

SEGREGATION OF PROSTITUTES.

16. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to lay on the table a list of such municipal boards as have passed bye-laws for the segregation of prostitutes ?

17. When did the Allahabad municipal board pass a resolution to that effect ?

What was the result of that resolution ?

Mr. G. B. F. Muir : Information is being collected and is not yet available.

REGISTERS OF BIRTHS AND DEATHS.

18. **Babu Parsidh Narayan Anad :** (a) Will the Government be pleased to state whether the registers of births and deaths kept in all police stations are destroyed after three years in this province ?

(b) Are the Government considering the desirability of permanently preserving these registers ?

Mr. G. B. Lambert : (a) Chaukidars' registers of births and deaths are retained for two years at police stations, and then transferred to the Collectorate, where they are kept for fifteen years.

(b) The Government will consider the suggestion.

THE BUDGET, 1925-26.**DISCUSSION OF DEMANDS FOR GRANTS.****Demand No. 26.****FAMINE INSURANCE FUND.**

The Hon'ble Mr. S. P. O'Donnell : I beg to report to the Council the recommendation of His Excellency the Governor that under the head "Charges against the Famine Insurance Fund" the sum of Rs. 32,39,690 be provided, and to move that this sum be voted.

Lala Mathura Prasad Mehrotra : I beg to move that the demand of Rs. 8,16,000 in respect of the item regarding XIII—Unproductive irrigation works—Charges against the Famine Insurance Fund, at page 67 of the Budget, be omitted.

As we all know, India is an agricultural country, and this province of ours is more or less a purely agricultural province. By the census report of 1921-22 we find that the population of this province is 5,53,75,787; out of this more than 75 per cent. live wholly and solely upon agriculture. We have got no particular industry, no firms, no mills and nothing of the kind upon which these people can live : agriculture itself depends on monsoons. The immense areas of the provinces of Bombay, Madras, Central India and the United Provinces are in a region of erratic and uncertain rainfall. When we get an excess of monsoons the result is a famine, and when we have a shortage of monsoons the result is again a famine. So the consideration of famine is a most important item in our budgets. The meaning of the word "famine" is perfectly and clearly known to the inhabitants of this country. If you go to a boy of ten or twelve years and inquire from him the meaning of the word "famine", how it results and what havoc it creates when it visits, he will be able, I believe, to tell you everything in detail. If on the other hand the meaning of the word "famine" is inquired from a man coming from a foreign country, I think he will not be able to give you any details except the meaning which you will find in the dictionary. So, Sir, the consideration of famine is very important for us. It was in the year 1876-77 that the great famine of Orissa occurred. It played so much havoc with the country that the Government of India thought it proper to pay special attention towards it, and the result was that a Commission was appointed. From 1877 the Government of India used to set apart a sum of a crore and a half for this purpose, and after that there came the internal developments in the shape of railways and irrigation which have of course lessened very much the force of famine. Sir, with all the developments that India has received from the Government of India, when the Act of 1919 was drafted, the framers of the Act thought it proper that a special provision should be made for Famine Insurance Fund in every province as a safeguard against famines, and the consequence was that a sum of Rs. 39,60,000 was made the first charge upon our province to be contributed towards this fund every year till it reached the sum of six times of this contribution. Sir, no famines have fortunately visited this province since then, but the floods of the last year were more than a famine. In this connection I will take the opportunity of thanking the Government once more for the timely help they have rendered to the famine stricken areas. But the floods have told heavily

upon the budget of our province, and, as we all know, we have lost on account of these floods a sum of about Rs. 127 lakhs, out of which 94 lakhs is irrevocable. Sir, this whole sum of 94 lakhs must go to the Famine Relief Fund, but unfortunately we have not got so large funds at our disposal now. The amount is far less. What are the reasons? How this amount has been evaporated, as I should like to put it? Going into the details of the budget I find a sum of Rs. 8,16,000 has been debited as the working expenses of unproductive works. I admit that these unproductive works are meant as a safeguard against famines, but the working expenses should on no account be met from this fund.

Another and a very decent sum of Rs. 55,92,680 has been debited as interest to Sarda Canal Works. On account of these inroads we have lost all the amount that we would have collected in this fund, and the result is that by the end of this year—I mean 1925-26—we will have only a sum of 12 lakhs at our disposal instead of $1\frac{1}{2}$ crores. I therefore do not think it reasonable at all that this sum of Rs. 8,16,000 should be debited to the Famine Insurance Fund, and therefore I move that it should be omitted.

The Hon'ble Mr. S. P. O'Donnell: As I explained to the Council on a previous occasion the Famine Insurance Fund is governed by statutory rules, which have to be strictly observed and no charges can be debited to the fund which are not covered by those rules. The debit of the working expenses of these unproductive canals is covered by the rules. If it had not been, we should have had objections from the Audit department. I admit that the debit of these charges has reduced the money in the Famine Insurance Fund. I also agree that other things equal, it would be desirable to have a larger Famine Insurance Fund. But in the first place what would the alternatives have been if this debit had not been made. We should have to find the money in some other way. There are three ways in which the money could have been found. One is fresh taxation, and I need hardly say that nobody wants that. The second course would be to borrow money from the Government of India, i.e., to increase our debt. But that would have actually meant a loss, because we would have had to pay interest on the loan. Leaving aside those two courses as entirely impracticable, the only possible course would have been to reduce our new expenditure, and the Council knows that we have not provided too large a sum for new projects? In fact the sum is far smaller than we should have liked to provide, and nearly all of it is on account of the transferred departments. Therefore if we had not debited this sum to the Famine Insurance Fund we should have had to cut down the new expenditure on account of those departments. Apart from that, there is some tendency to exaggerate the importance of the Famine Insurance Fund. We never had a Famine Insurance Fund before the reforms in the famines of 1908 and 1897, we simply obtained money from the Government of India. The Government of India in those days charged no interest for the simple reason that all the money was theirs. They simply gave us so much money to spend. If a famine were to occur now and if the Famine Insurance Fund were inadequate we would borrow money from the Government of India. As our total borrowings are quite small in relation to the resources of the provinces we should do that without adding unduly to our indebtedness. A great deal of the loan would probably be recoverable, because in my opinion we are never

[The Hon'ble Mr. S. P. O'Donnell.]

likely to have to incur expenditure again on the same scale as in 1908 and 1897. I think every revenue officer is agreed that the resisting power of the people is now so much greater that such expenditure would never again be required. I think all experienced officers are of opinion that if a famine occurred again most of the expenditure would be under the head of taqavi advances. There might be a certain number of minor works and here and there there might be a major work, but the famine of the future will not be anything like the famines of 1908 and 1897. The number of major works will be small and most of the expenditure will be under the head of taqavi, of which a portion at least will be recoverable. All that would in any case happen is that we should increase our debt for the time being and have for some years to provide larger sums for the reduction of debt. Whether next year we can continue to debit as much to the Famine Insurance Fund as we have done this year is a matter which must be left for future consideration. A good deal depends on whether we are going to get a further remission of our contribution next year. The Government of India are shaping their policy in that direction and they have made a beginning this year. On this subject I have no more information than any other honourable member of this House, but still, looking to the tendency of trade to improve and the reaction of that on the revenues of the Government of India, I am not unhopeful that the remission of this year may be followed by another remission next year. If so, it will be possible to increase our Famine Insurance Fund gradually as the years go on. But I regard the sum arrived at by the rules, namely, 240 lakhs, as altogether excessive. I looked into the matter in the year 1923 and consulted a number of officers. None of us could understand how this figure of 240 lakhs had been arrived at. There is not the smallest possibility of our requiring 240 lakhs. I must admit that I saw the rules myself in 1910 before they were issued, but there were then many other matters which were engaging my attention. When I came back to this province I looked into the matter again, and wondered why on earth the figure of 240 lakhs has been laid down in the rule. Nobody could offer any explanation. It does not appear to have been based on our previous expenditure. It is certain in any case that the non-recoverable expenditure can never be more than a fraction of that sum.

I do not contend that it is not desirable to have a substantial Famine Insurance Fund, but the importance of the fund should not be exaggerated. It is merely a means of avoiding debt. If we have a large enough Famine Insurance Fund, we should not have to borrow when a famine occurs. In any case during the present year there is no alternative but to debit this sum to the Famine Insurance Fund, unless indeed—a course which I feel sure the Council would repudiate—it is to reduce new expenditure.

Mr. Muhammad Aslam Saifi: The Hon'ble the Finance Member in his speech just remarked that there were only three ways of meeting this expenditure:—(1) by borrowing money, (2) by fresh taxation, and (3) by reducing our expenditure. The question now arises that when the interest on the productive canals is debited to the Famine Insurance Fund, is it not possible to avoid charging it to the working expenses

of the productive canals, for in that case we will be able to know exactly the net profit of the productive canals. Of course, it is perfectly right that on principles of political economy the Famine Insurance Fund should not be locked up. At the same time it is perfectly true that the expenditure on unproductive canals should also be met from this fund. What, however, I desire to find out is as to how the classification is made between unproductive and productive canals. It has been more than once remarked that the Sarda canal works are productive, yet it has been heard of late that they have been classified as "unproductive." Are they supposed to be unproductive so long as they are not completed? I shall be exceedingly surprised if the Government inform us that even after they have been completed they are likely to be unproductive for already a vast amount of expenditure has been incurred on them.

Mr. E. A. H. Blunt: The first point the honourable member made was that he would like the interest to be added to the working expenses so as to enable him to obtain the true profit.

I am afraid it is not possible for us to do that in the budget. As I explained in the course of the budget discussion to the honourable member for Naini Tal, these matters are regulated by the Auditor General, and we have to act according to his instructions. At the same time there is no difficulty in getting the figures the honourable member wants; as a matter of fact I have given them in the memorandum also. Apart from that, complete figures for each canal will be found in the Irrigation Administration Report.

A canal is said to be a productive canal if it pays an interest of 6 per cent. That is the stock figure. We have canals in these provinces which are never expected to be productive. They are the Ken, the Betwa, various other small canals in the Mirzapur district and tanks and reservoirs in Bundelkhand. There are on the other hand canals which were expected to be productive, but which later on disappointed our expectations. I cannot at the moment remember which are those canals. There are two or three of them.

As regards the Sarda canal, we expect it to be productive. All the evidence that we have in our possession suggest that it will be so. In 1907-08 the amount actually spent in the district which the Sarda is now going to irrigate on famine relief came to no less than 57 lakhs. Until, however, the Sarda canal is actually completed, it cannot be said to what extent it will be productive or not. Indeed, for some years after it has been completed it will not yield 6 per cent. interest; though it will begin to yield some return after a year or two a few thousands to begin with. The pitch of the irrigation rates, of course, affects the question of productivity. The irrigation rates are likely to be lower at first than they will ultimately become; and of course the question of land revenue would also come in. Generally, however, the Sarda canal, when it is fully completed, is likely to be productive, and possibly highly productive. For the present it is not productive, nor is it likely to be so until some years have elapsed after the completion of the canal.

Lala Mathura Prasad Mehrotra: I want to inquire two questions:—

- (1) Is the reduction of the contribution that has been made by the Government of India for this year only, or for ever?

The Hon'ble Mr. S. P. O'Donnell : It is permanent.

Lala Mathura Prasad Mehrotra : The second question that I want to put is this. Whether the working expenses of all unproductive works have been debited to the amount of Rs. 8,16,000, and what about income from these sources. Is there any income? If there is any income, has that income been deducted?

The Hon'ble Mr. S. P. O'Donnell : It is shown there.

Lala Mathura Prasad Mehrotra : Will Mr. Blunt let me know it?

Mr. E. A. H. Blunt : The income from unproductive works is estimated at Rs. 6,38,000 in the current year, so the honourable member will see that it is below the working expenses.

Motion by leave withdrawn.

Maulvi Muhammad Obaid-ur-Rahman Khan : I move that the amount of Rs. 4,41,650 in respect of the item regarding establishment (voted) at page 4 of the Detailed Estimates be reduced by Rs. 19,500."

If honourable members will turn to page 4 of the Detailed Estimates of the Irrigation department they will find that under head "Unproductive works financed from Famine Insurance Fund—Establishment" there are two items, non-voted and voted. The amount budgeted last year for those items was Rs. 4,79,000. The amount in the revised estimate was Rs. 4,49,000, but they are budgeting for Rs. 4,64,000 for the next year. Now if honourable members will turn to page 10 of the same estimates they will find that under head "Sukhra canal establishment" there is an increase of Rs. 900 on last year. In Betwa canal under the same head the sum is the same as was provided in the last year, but there is an increase as compared with the revised estimate. Then again in Pahuj and Garhman canals they will find that there is a decrease. Again in Ken canal under head "Establishment" there is a decrease, but as compared with the revised estimate there is an increase. Then again in Barwar lake and canal under the same head "Establishment" there is a decrease. Then comes Dhasari canal, and in that also there is a decrease in the amount budgeted for the next year as compared with the sum budgeted for in the current year under the same item. Then again under Majhgawan tank under the same head there is also a decrease. In Bundelkhand lakes and tanks under the same head there is also a decrease. Then again in Kitham reservoir under the same head there is a decrease. Now, Sir, I want to know why there is an increase in the total amount budgeted for next year under head "Establishment" when we find that there is a decrease under all the items mentioned above. The other day when I discussed it with the Chief Engineer I was quite unsatisfied. He could not satisfy me and he told me that he was not then in possession of the figures.

I want to know these points first, and I shall then see whether I should press the motion or not.

Mr. E. A. H. Blunt : I do not know if the honourable member was present yesterday when I was speaking on a motion of Lala Mathura Prasad Mehrotra on the other portion of the Irrigation budget. At all

events the explanation which I have to give is precisely the same which I gave then. This is what is called *pro rata* distribution. The method is this. The amount of work . . .

The Hon'ble the President: We had the explanation already in detail yesterday, and I think you should be very brief about it now. In fact some of these demands were really covered by motions yesterday.

Mr. E. A. H. Blunt: The total amount of work to be done is calculated, and then according to the amount to be done in each circle (or in this case in the productive and the unproductive sides respectively) the cost of the establishment is artificially distributed between them in proportion. This is a simple case, for only two figures are concerned. If the honourable member will look at Extensions and Maintenance revised estimate for the last year he will find the figure 22,19, productive and only 3,19, unproductive. In this year it is 20,93, productive and 3,42, unproductive. In other words, there is going to be relatively more work done on unproductive canals than on the productive. Consequently the proportion of establishment on the unproductive side has gone up. But it is a purely artificial figure. To get the true increase or decrease that there may have been in the expenditure on establishment we have necessarily to add the two, productive and unproductive, together and see what the result is. I have not added up the figures, but I can tell the honourable member that there is no increase.

Mr. Muhammad Aslam Saifi: In this connection I should like to bring to the notice of the Government that regarding this very item the expenses are debited to the Famine Insurance Fund to the extent of the working expenses, but the income from this very unproductive canal is shown in the budget, and that income is only a nominal income. Would it not be better that all these working expenses, after deducting the income from the working expenses, should be debited to the Famine Insurance Fund? In that case we shall know exactly what amount is to be debited to the Famine Insurance Fund and what we have spent out of the revenue.

The Hon'ble Mr. S. P. O'Donnell: The difficulty about that is, as I have already explained, that we should have to reduce expenditure on other heads. The Financial Secretary will, if the honourable member so desires, give him the details, but the essence of the matter is that if we did what is suggested and did not debit this money to the Famine Insurance Fund, then the Famine Insurance Fund would be increased, but to the extent it was increased money would not be available for other expenditure.

Maulvi Muhammad Obaid-ur-Rahman Khan: I cannot understand the position.

Mr. E. A. H. Blunt: I undertake to explain the whole position to the honourable member.

Maulvi Muhammad Obaid-ur-Rahman Khan: I withdraw my motion.

Motion by leave withdrawn.

Lala Mathura Prasad Mehrotra: I beg to move that the demand of Rs. 55,92,680 in respect of the item regarding 14—Irrigation interest charges against the Famine Insurance Fund at page 67 of the Budget be reduced by Rs. 101.

I want to inquire a few points from the Government and . . .

The Hon'ble Mr. S. P. O'Donnell: This is non-voted, but if the honourable member wants some information, he can have it afterwards.

The Hon'ble the President: The honourable member then cannot move it.

Rai Jagdish Prasad Sahib: I beg to move that the demand of Rs. 4,45,000 in respect of the item regarding lambardar's fees at page 38 of the Detailed Estimates be reduced by Rs. 10.

My object in moving this motion is to draw the attention of the Government to certain difficulties existing at present in the way of the lambardar realizing the canal dues from the cultivators. The canal jamabandis are not prepared with sufficient previous inquiries and the names of the real tenants are not generally entered in them, while the names of such sub-tenants are sometimes entered who have no stake and who cannot sometimes be traced. Then, there are no such facilities for the realization of canal dues as exist for the collection of rents, as, for example, the distraint of crops. So far as I am aware the jamabandis too are received after the crops have been removed. Then, even if the lambardar obtains a decree for the arrears of canal dues, he cannot have the satisfaction of the decretal amount in the way he can have in the case of a decree for rent, as, for example, by having recourse to ejectment, etc. The result is that the lambardar has to deposit the canal dues in the Government treasury at the proper time, whereas he cannot recover his own dues from the cultivators. So, I draw the attention of the Government to the advisability of revising the rules so as to provide some effective measures for the realization of canal dues by the lambardars, because at present the cultivators sometimes knowingly evade payment of these dues under the impression that the lambardar is not empowered to take any effective measures against them for the recovery of these dues.

Mr. Jwala Prasad: If the honourable member has any difficulties in the matter of realizing lambardar's fees, I would ask him to come either directly, or he can through the Zamindar's Association send up a memorandum of the difficulties, so that the question might be considered in the first instance by the Irrigation Board and then the Government will see what alterations, if any, are necessary in the rules.

Khan Bahadur Shaikh Masud-uz-Zaman: I only wanted to endorse the opinion expressed by my friend as regards the grievances of the zamindar in realizing the canal dues. I think in every irrigated area the lambardars have got to undergo a great deal of difficulty in realizing these rents, because in the first place, if there is a wrong entry, and it is invariably so in cases of jamabandi, the real men are not found easily and invariably the landholder has got to pay from his own pocket, and if he realizes any amount it is very much after the time of the payment of malguzari, with the result that he experiences great difficulty in the realization of his malguzari also. I wanted to support my friend Rai Jagdish Prasad Sahib simply in order to give emphasis to this grievance. In fact it has become very common, and I think it is not fair to make it compulsory for the lambardar to take up the realization in return for a very nominal commission that he has given. I think there are any number of lambardars who will not be willing to take up the responsibility of realizing these for the sake of the nominal

commission that they get. Not only do I think that the commission is very nominal and very small, but it must be made optional for the lambardars to realize these dues in return of the commission or not. For this reason I support this motion.

Thakur Shib Narayan Singh supported the motion in an Urdu speech.

Lieut. Raja Durga Narayan Singh : I whole-heartedly associate myself with the remarks made by my friend Rai Jagdish Prasad Sahib. I have simply to make two remarks in this connection. These patrols who prepare jamabandis do not take trouble of going and make inquiries from field to field, but instead of doing so they sit at home and inquire from the villagers or from the tenants for the irrigated fields. In this connection I wish to draw the attention of the Chief Engineer to the fact that he should issue instructions to patrols to give up this practice in future.

Another thing is this that a very small amount is to be realized from the tenants, and when there is a wrong entry in the jamabandis and the tenant, refuses to pay, a lambardar has to go to court for realization of that amount. When the court finds that such and such persons have irrigated certain fields, the result is that suit is dismissed and the lambardar has to forego that amount on account of the wrong preparation of the jamabandi. The Chief Engineer has just said the Zamindars' Association should pass such a resolution and send it to the Irrigation Board and then the Board will consider it, but this question has been considered in this House at length, and I think the proceedings of this Council should be sent to the Board for their information and, I should like to add, that the Board should give due consideration on this matter and make rules accordingly.

The Hon'ble Mr. S. P. O'Donnell : As the Chief Engineer has explained we are quite ready to have all these points examined by the Irrigation Board. It is difficult to deal in detail with matters of this kind in Council, and I myself am not familiar with these details, but we are quite ready to have these various points examined by the Irrigation Board, and we will see what can be done to remedy any practical difficulties that may have arisen. I hope that will satisfy my honourable friend.

Raja Jagannath Bakhsh Singh : I want to inquire whether it is only possible for the Zamindars' Association to send this matter to the Board?

The Hon'ble Mr. S. P. O'Donnell : No, any representation will be considered.

The Hon'ble the President : I am afraid I was not fully awake to the fact that this item is not connected with famine relief. I have since asked Mr. Blunt and he says it does not concern this head. Unless therefore the motion is withdrawn I cannot put it to the House.

Motion by leave withdrawn.

The demand of Rs. 32,39,690 was put before the House for discussion.

Pandit Govind Ballabh Pant: I think these items refer at least partly to the Sarda canal too and to the Famine Insurance Fund. As to the appropriation of the Famine Insurance Fund for the purposes mentioned in this demand, I hold it to be an academical question at this stage, and I agree with the Hon'ble the Finance Member in the view that after all the money had to be found and it had either to be borrowed or an allotment had to be obtained out of the Famine Insurance Fund, and as he holds that the annual contribution that is being made on that account is excessive, I think, so far as the merits of the question go, there is no great harm if money is being given for inevitable and unavoidable purposes. But as to the interpretation of the rules, though I admit that the Auditor General and His Excellency are to be regarded as the final authorities, the view taken by Pandit Nanak Chand in the course of the budget discussion and which was supported to a certain extent by Lala Mathura Prasad Mehrotra today seems to me to be the correct one. The subject is referred to in Schedule 4 of the Devolution Rules, and the assignment of the annual fund as well as of the balance that may be needed at any time is governed by rules 2, 7 and 8. Rule 2 says:—"The annual assignment shall not be expended save upon the relief of famine or the construction of protective irrigation works or other works for the prevention of famine. Any portion that is not so spent shall be transferred to the Famine Insurance Fund of the province. This is followed by rule 7 which says:—"The Local Government may at any time expend the balance at its credit in the Famine Insurance Fund for any of the purposes specified in paragraph 2 of this schedule." Then rule 8 says:—"Such balances may further be utilized in the grant of loans to cultivators either under the Agriculturists Loans Act, 1884, or for other relief purposes." What follows thereafter is not relevant. Now I think it cannot be seriously disputed that the working expenses on unproductive canals or the interest chargeable on productive works are not governed by the provisions of rule 2. It is certainly not expenditure on the relief of famine and it is not expenditure on the construction of protective irrigation works or other works for the prevention of famine. So there seems to me no room for doubt that so far as the interpretation of the rules goes even if they be twisted and distorted, they do not justify the diversion of the fund to these purposes. Further, the fact that it was considered necessary to have a rule like rule 8 which says that loans under the Agriculturists Loans Act may also be governed by rule 2 goes to show that but for that explicit expression there it would not have been within the purview of rule 2 to grant such loans. So I think it is quite obvious that the diversion of the funds is irregular. Going further, Sir, it is also a bit risky and dangerous to adopt such a principle as a normal interpretation of this rule. For if every year we divert the contribution that has to be made to the Famine Insurance Fund towards the payment of interest on irrigation loans, we may at some time find that we have nothing or very little in hand for famine relief. Well, if any calamity comes and one does not know when the surprise will be sprang on us, then there will be nothing by virtue of which Government may be able to meet such an unforeseen misfortune. So I think the rules do not justify this expenditure and the principle is not sound so far as normal years are concerned. What I want particularly to find out, Sir, is this, whether it is always open to the Finance department to reclassify any work which has been entered in the productive list as a

productive one entered in the other list as unproductive. Supposing in any particular year the interest that is earned out of any canal system does not come up to six per cent., whether the Finance department is at liberty to show it as a productive canal and whether ordinarily if the canal is paying only 2 or 3 per cent. and in any particular year it happens to pay 7 per cent., whether it is open to them to show it as a productive canal in that year. If it is so, I submit there is no fixity about this system and it is always in a state of flux. So the terms can still be abandoned and we may confine ourselves to this that those canals which happen to pay six per cent. in any particular year will not be entitled to have interest debited out of any other sums and those which pay less than that will receive some sort of assistance. Then the words protective and productive become meaningless, and I do think, Sir, whatever may be said about these items for canal works which are classed as unproductive, that the payment of interest on account of other canal works, though they are classed as productive, out of the Famine Insurance Fund, is quite wrong; and at least in respect of these productive works it should not be open to the Finance department to make an allotment in that manner. It may react on the canal system altogether, for unless some sort of principle is adhered to and the department feels that it is required to show a return of a minimum profit out of the canal system that has been classified as productive, there will not be any objection on our part to their continuing an earnest activity, if there is any necessity. In this connection I want to put only a few questions about the Sarda canal. I myself have no opinion on the subject, and I am prepared to confess that I have not much information even, but I am told that at least parts of the tract through which this canal is passing or is expected to pass are likely to be turned into water-logged areas, that the water level is high enough, and that if the canal is taken through those areas, then it is likely to do harm. I do not know if this is correct, and if this is so, which particular tract is considered to be liable to such risks, and in case there are any such tracts what remedy is being contemplated in order to meet this likely mischief? The other point that I wanted to know is, when is this canal expected to be in a working order—not in respect of any particular small bit, but I mean in real working order—and when is it likely to fetch a profit that will amount to say 4 per cent. interest? What length of the canal has already been done and what remains to be made? What expenditure has been incurred so far and what is likely to be incurred further, and how the Government proposes to find it? Out of the expenditure which has been incurred over it, what amount has been found out of the Development Loan and what, if any, from other sources; together with what has been found from other sources what does that actually come to and what amount of interest has to be paid annually over it?

There is only one other question in this connection. If the Government has in contemplation any measures which it will be putting in force in order to combat malaria that is likely to result from the extension of the canal system?

Lala Mathura Prasad Mehrotra : I want to say something in connection with the Sarda canal. May I do so now or upon my own motion which comes next?

The Hon'ble the President : Better reserve it for the next demand.

The Hon'ble Mr. S. P. O'Donnell : I just want to refer to one or two points which were mentioned by the honourable member for Naini Tal. I am afraid I cannot agree with him as regards the interpretation of the Famine Insurance rules. We went into the matter carefully. It appears to me that the expenditure referred to by him is clearly covered by the words "other works." If it had not been so covered our action could have been challenged.

Pandit Govind Ballabh Pant: Is it "other works connected with construction" or is it an independent class by itself?

The Hon'ble Mr. S. P. O'Donnell : I do not regard the word "construction" as applying to the words "other works." As regards the classification of canals, this is certainly altered from time to time; for example, up to ten years ago the Rohilkhand canals were classified as unproductive, now they are classified as productive. That is inevitable because a canal which in the beginning may not bring in much revenue may after a certain period yield a good profit. Therefore the classification has to be altered from time to time. I do not see how that can be avoided.

Mr. B. D'O. Darley : The honourable member has asked for information about the Sarda canal. The first thing he has asked about is water-logging. We have gone into this question very thoroughly, as thoroughly as we can. It is difficult to prophesy exactly what will happen, but all we can say is that we have examined the water-logged tracts of the Punjab and what happened in the past in Bulandshahr and other districts when excessive irrigation was given without proper drainage. Every tract where, in our opinion, there was the least chance of water-logging has been omitted. The whole of the northern and eastern section of Pilibhit has been omitted from our command at present; also the northern section of Shahjahanpur and certain portions of the khadar lands along the Gumti and in the Hardoi district.

As regards the remedy to be taken in other tracts, it is a case of surface drainage, where the spring level is high we find that the drainage of the country has been blocked. All bunds in nadis must be removed and then we have every hope that the spring level will fall and that the introduction of our canal irrigation will not raise the spring level to such an extent that it will endanger the health of the country or cause water-logging.

I think the honourable member asked for a very large number of figures in connection with the expenditure. I can only refer him to the administration report where all these figures are given of the cost of the work up to date. I laid a statement yesterday on the table showing what has been done and what is proposed to be done in the coming year. I can give the honourable member the expenditure to the end of 1923-24. On the Sarda Kicheha canal direct expenditure has been Rs. 1,13 lakhs odd, on the Sarda Oudh canal the expenditure has been Rs. 1,14 lakhs to the end of 1923-24. But all this detail he may have from the administration report.

As regards the number of miles of canal which have already been completed, it is very difficult to give exact figures; many miles are completed except for a bridge here and there; there are very few miles which have not been begun on the main lines. I should say about two-thirds

of these main lines will be completed by the coming rains. We have only taken up this year the main branches, distributaries we have left for the present, because there is no use taking them up just now, and completing them before the headworks are ready to give water. Therefore, roughly I should say we have begun about 1,000 miles of canal, and from half to two-thirds of these have been completed. There are about 6,000 miles of canals and drains to be constructed, but they are mostly small canals which can be completed in about two years from the time the work is started. There remain about 5,000 miles of these small channels still to be started. If there is any other information I can give the honourable member I shall be only too glad to do so either now or at any time. He is a member for Naini Tal and I shall also be there and I shall be delighted to see him and give him any information he requires, or if he will visit our works and see what we are doing he will be more than welcome.

The demand was put and voted.

Demand no. 27.

55.—IRRIGATION OUTLAY NOT MET FROM REVENUE.

The Hon'ble Mr. S. P. O'Donnell: I beg to report to the Council the recommendation of His Excellency the Governor that a sum of Rs. 1,43,16,312 be provided, and move that this sum be voted.

Lala Mathura Prasad Mehrotra: I want to substitute Rs. 50 for Rs. 50,000.

I beg to move that the demand of Rs. 3,12,000 in respect of the item regarding Establishment—Oudh canal, 5th circle, (1) Productive Works—Capital outlay on Irrigation Works at page 16 of the Detailed Estimates be reduced by Rs. 50.

Sir, I have made this demand a token demand instead of a real reduction, because I want to bring some facts to the notice of the Government in connection with the Sarda works. We all know that the United Provinces Development Loan was floated chiefly for this work. A sum of about a crore and a half has already been spent out of that loan. It was during the course of the general discussion on the budget that the Hon'ble the Finance Member admitted that the engineers have failed in their estimation with regard to this work, so much so that at first it was thought that it would yield a good rate of interest at 6 per cent., but now it is expected that it will yield much less. The Chief Engineer has again come forward to justify the work by describing the parts through which this canal is drunning and also the work that they are going to take up in future. But he has forgotten one main question namely, what is the amount of expenditure that this Sarda canal is going to incur. He has also forgotten as to what would be the return of the money invested upon this work. Sir, many defects were pointed out in the course of the general discussion upon this subject last year, and I want to know how far they have been remedied and how far they are going to be remedied in future. There were a number of questions in connection with the establishment of a workshop and also in connection with the residential quarters for the gate-keeper. It was also promised that the post of the gate-keeper and the foreman of the workshop was going to be combined. I want to know whether it has been combined or it will be combined in future, as the House was made to believe. Then, Sir, a number of questions were also raised about he

[Lala Mathura Prasad Mehrotra.]

special saloon of the Chief Engineer in metre gauge. A very important question was also raised about the Indianization of higher posts. Since then, Sir, the Lee Commission has given out its report and the chief relief we feel is that they have recommended that 60 per cent. posts should be given to Indians. I want to know what steps have been taken in this direction and what are going to be taken in the future.

Another question was raised by me about the purchase of stores in foreign countries. I want to know the amount of the stores purchased during the last year and whether tenders were invited from all the foreign countries or from one country alone. The discussion upon the subject clearly shows that the money has been lavishly spent upon this work. During the course of the general budget discussion it was suggested that a committee should be appointed to go into all the details of the work. I wholly agree with that suggestion, and I request the Hon'ble the Finance Member to appoint a committee to go into the details and report how the money is being spent and whether any economy is possible.

Mr. B. D'O. Darley : The first point raised by the honourable member is the question of estimates, and he accused us, I do not know on what justification, of exceeding the estimates. I can assure him that, as far as is known to us, we will not exceed our estimates. The estimates for the Sarda Kichcha and Sarda Oudh canals will be combined this year, and as far as I can foretell at the present time there will be no excess over the estimated expenditure of both combined. The Sarda Kichcha estimate was prepared before the war, and undoubtedly there will be an excess because the cost of labour and material has gone up by not less than 50 per cent. There will be a saving under the Sarda Oudh canals which will cover any excess on the Sarda Kichcha project. As regards the returns, the honourable member thinks that they will not come up to expectations. That rests largely with this House. If the House is prepared to allow us to introduce the irrigation rates proposed in the project, there is no reason to suppose that the returns will not be as good as expected, and if the irrigation rates now in force in the Ganges canal are introduced, the return should be still better, seeing that since the time the project was prepared the rates have been materially raised on the Ganges canal.

As regards the Bareilly workshop, this workshop has been reduced from the status of a division to that of a sub-division. It is a sub-division of the Rohilkhand Canals division, and the officer in charge is not an executive engineer, as he was last year, but an assistant engineer, on the U. P. E. S. scale.

As regards the gate-keeper and foreman, I should like to point out that these two posts have already been combined. The honourable member then raised the question of saloons. I may point out that there is only one saloon on the meter gauge line, and if we did not have that we would be compelled to spend a good deal of money on carrying tents for the accommodation of officers at outlying stations. I have myself lived in the saloon for days at a time in wayside stations where there was no accommodation. I think the Hon'ble the Finance Member said last year in this Council that this saloon had become a sort of King Charles' head. I trust we will hear no more about it. As regards the expenditure in England during the past year, we have spent Rs. 7,18,000 on

sluice gates. As I assured the honourable member last year tenders were called for by the High Commissioner and every firm had a right to tender. As far as I know there are only two firms in the whole world which make these large sluice gates such as we require and both these firms, which are in England, tendered. We haggled them so much that their Directors sent their representatives to India and they eventually reduced their tenders one after another in competition till we got a reduction from 28 lakhs to 16 lakhs.

As regards the charge of lavish expenditure, I assure the honourable member that there is no excessive or lavish expenditure. We would be glad if the honourable member would come round and see for himself. He can inquire from the contractors whether they are making excessive profits and see for himself whether money is being wasted.

Mr. Muhammad Aslam Saifi : Is the saving effected in the Sarda Oudh canal due to the fall in the labour market or to over-budgeting?

Mr. B. D'O Darley : When we prepared the estimate for the Sarda canal we feared that the northern section of Pilibhit would be waterlogged. In fact, the Chief Engineer at the time suggested that the canal be protected with some lining material such as concrete or bitumen, which had been tried in the Punjab to prevent seepage. We had no information as to which particular lining would be most useful and most economical or whether even any lining was necessary at all. In consultation, however, with the Inspector-General of Irrigation it was ultimately decided to provide a sum of Rs. 50,00,000 in the estimates for lining, should that be found necessary. Subsequently, we discussed the matter in detail with the Punjab Engineers and others, and we came to the conclusion that no lining was necessary, and therefore the sum of fifty lakhs was not required.

The Hon'ble Mr. S. P. O'Donnell : My honourable friend Lala Mathura Prasad Mehrotra must have misunderstood some remarks of mine. I may have said, I rather think that I did say, that there were some people who doubted whether the revenue anticipated from the Sarda canal would be realized, not because the expenditure on the canal would exceed the estimates, but because there were some doubts as to the extent to which people would take water. It is of course impossible to say exactly to what extent water for irrigation will be taken. There are people who think that as the result of the Sarda canal more cotton and more sugarcane will be cultivated, and should that come to pass, our expectations in the matter of revenue will be more than realized. At any rate, there is not the slightest doubt that we shall recover our interest, and probably something more. There are differences of opinion only as to the amount of profit we are likely to get. As Mr. Darley said, everything depends on the rates. If you cut down the rates to nothing, there will be no revenue. On the other hand, if you impose the same rates as in the case of the Ganges canal, we shall get more revenue even than we originally calculated.

Rai Bahadur Thakur Mashal Singh : There are one or two points which I should like to bring to the notice of the Government in regard to the Sarda works as affecting the Hardoi district.

Last year I pointed out certain defects about the contracts having been given to the relatives of the engineers concerned in Hardoi district, and although the Government did not admit them at the time, they were eventually remedied by the transfer of those officers from that district.

[Rai Bahadur Thakur Mashal Singh.]

This year I should like to bring to the notice of the Government a legitimate grievance, both of the zamindars and the tenants, that the canal officers have not given them any compensation for the several hundred bighas of land that they have acquired for constructing canals. I make this statement with the fullest responsibility. I know that up to this time a large number of zamindars and tenants have not been compensated for the land which they have had to part with. This has caused a great hardship to them, and the sooner this grievance of theirs is removed, the better.

The other grievance of the public is that very few bridges have been constructed on the canals. The result is that those people who have their land lying on both sides of the canal have to make a journey of about two or three miles before they can get to the other side. On this subject they represented to the Government hundreds of times, but no heed was paid to them. Lately they represented the matter to the district board, but they too have given no reply to them. I would therefore urge upon the Government that these two grievances be removed as early as possible. No bridge has been provided. Zamindars and tenants, not only of that village but of several neighbouring villages, complained to me and I made a representation to the superintending engineer, but no satisfactory reply has yet been received. This is a hardship which must be alleviated and many more bridges should be constructed to give facilities to tenants.

Mr. B. D'O. Darley : The honourable member has raised two questions. First of all I shall take compensation for service roads. I quite agree with the honourable member that it must be given. I know of no case where it has not been given. I think that in the case of every service road which has been made this year it has been given. Some cases are still pending with the Land Acquisition Officer, and it is quite possible that compensation might not have been paid yet in those cases. It is impossible to pay all at once. Compensation is certainly paid for the land acquired for service roads within the canal boundary itself. If the honourable member will give me a list of cases in which compensation has not been paid I will make inquiries.

Rai Bahadur Thakur Mashal Singh : Yes, I can.

Mr. B. D'O. Darley : Then as regards the bridges. In that connection the honourable member has got my sympathy. No doubt there must be cases of hardship, but we cannot provide a bridge for every village. There are two, sometimes three, and as many as five villages in one mile, and the cost of each bridge is from Rs. 15,000 to Rs. 30,000. We give on an average about one bridge for every two miles on the main channel and on smaller channels, where the cost of constructing a bridge is cheaper, we give on an average one bridge per mile. In the case of older canals—the Jumna and the Ganges canals—the average distance between bridges is much greater, but the people have settled down happily. What has happened, I think, is this, that the people have shifted to the other side of the canal where they have their holdings. I can assure the honourable member that we look to the convenience of the public as far as we can within the limits of our estimates. We

consult district officers about these bridges and the deputy commissioner or collector, as the case may be, approves of the situation of all bridges before we start building operations. The honourable member has mentioned that he has not received any reply to a representation concerning the site of one bridge which he made to the superintending engineer and the district board. I do not understand why this is so. I will be glad if he would let me have the site of the bridge and I will make inquiries as to why he has not received an answer on this point.

Motion negatived.

The total demand Rs. 1,43,16,312 was put and voted.

Demand No. 28.

47.—MISCELLANEOUS.

The Hon'ble Mr. S. P. O'Donnell: I beg to report to the Council the recommendation of His Excellency the Governor that under head Miscellaneous a sum of Rs. 3,52,076 be provided, and to move that this sum be voted.

Mr. Mukandi Lal: I beg to move that the demand of Rs. 8,000 in respect of the item regarding darbar presents and allowances to vakils (reserved) (a) a page 112 of the Detailed Estimates be omitted.

I may, at the outset, explain that I have no desire to add to the debate that we had recently, in which it was alleged that some heat was generated, but I only want to put a few pertinent questions to the Government with a view to elicit information and urge on them the inadvisability of spending money on the darbaris. My first point is that, it is only people of some status and substance who are invited to the darbars. Therefore, I suggest that the custom of giving presents in the darbars should be stopped. If the Government thought that they were going to give some charity to the poor people, there might be some reason in it. I think the giving of presents is as undesirable as the giving of jagirs. Besides this, I would point out that giving presents for political reasons is a very dangerous weapon. I call it a weapon as it cuts both ways. Therefore, in future, the Government should discourage the giving of darbar presents. Government has got ample opportunities of rewarding darbaris by giving them titles, and they value the titles more than substantial presents, although I am not in favour of titles either. Therefore I submit that the tax-payer's money should not be used to pay darbar presents.

Mr. E. A. H. Blunt: The name is a misnomer. It is called "darbar presents and allowances to vakils". We give no presents, and there are no vakils. It really means darbar charges; the expenses met out of this grant are such as the cost putting up the darbar tents, removing them from one district to another, and so on. Why this item is called "darbar presents and allowances to vakils" I am afraid I do not know. There is no doubt some historic reason behind it; possibly it dates back to the time when every great man attended darbars not *per se* but *per alium*, sending a vakil to represent him to whom, no doubt, Government made a present *itar* and *pan*. At all events, I tried to get the name changed; I wanted to have it called simply darbar charges, but the

[Mr. E. A. H. Blunt.]

Accountant-General refused to do it. I do not know if he refused merely because he likes the name or because he had a better reason. At all event it could not be changed.

Motion negatived.

Mr. Mukandi Lal : I beg to move that the demand of Rs. 2,000 in respect of the item regarding miscellaneous darbar charges—travelling allowances of officials and non-officials attending darbars (reserved) (a) at page 112 of the Detailed Estimates be omitted.

I am sure Mr. Blunt will have in store a somewhat similar reply to my query at this time also, but I do submit that this also is practically covered by the first motion, that is to say, that I do not think that we are justified in giving travelling allowance to people who come with a view to pay their respects or with a view to enjoy the fun of the darbar or to see the *tamasha*. I think it is a misuse of the public money to pay the people coming to these darbars.

Mr. E. A. H. Blunt : This is another misnomer. I wanted this also wiped out. As a matter of fact, I wished the Rs. 2,000 and Rs. 8,000 to be lumped into one and the whole thing called "darbar charges." We do not pay travelling allowance to anybody for attending darbars except to military officers who come—nobody else. The officials get travelling allowance not out of this allotment, but from other heads. No non-official gets it except, as I say, military officers.

Motion negatived.

The Hon'ble the President : The question is that the demand of Rs. 3,52,076 under head of account 47—Miscellaneous be granted.

The demand was voted.

Demand No. 29.

LOANS AND ADVANCES BY PROVINCIAL GOVERNMENT.

The Hon'ble Mr. S. P. O'Donnell : I beg to report to the Council the recommendation of His Excellency the Governor that under the head "Loans and advances by the Provincial Government" a sum of Rs. 16,01,000 be provided, and to move that this sum be voted.

Rai Jagdish Prasad Sahib : I beg to move that the demand of Rs. 16,01,000 in respect of the item regarding loans to local bodies at page 71 of the budget be reduced by Re. 1 (I want to substitute Re. 1 for Rs. 10).

My object in bringing this motion before the House is to request the Government that a loan of two lakhs and a grant of a similar amount already applied for by the municipal board of Muzaffarnagar may be given to the Muzaffarnagar municipality for the construction of roads and drains in the new *mandi* which is built to the east of the railway station. I need hardly say, in urging the urgency of this grant, that Muzaffarnagar is a centre of grain trade and that it was to further develop and expand the grain trade that the need for the new *mandi* was felt. Now, Sir, the crux of the question is that the finances of the Muzaffarnagar municipality do not allow the heavy outlay of four lakhs from its existing resources to make the *mandi* flourishing and a

sanitary habitation. Then the finances of the municipality are doomed to be further strained and may likely result in the total abolition of the municipality by the suggested exclusion of the *mandi* from the municipal limits and the conversion of the *mundi* area into a notified or town area. It is, therefore, high time that the Muzaffarnagar municipality be saved from extinction and many an economic loss, and the town from a dislocation of trade which stares it in the face as a result of the proposed exclusion. The municipality, therefore, stands in need of help in the shape of loan and grant at the hands of the Government, and I hope that the Government will come forward with a helping hand in this matter.

I may now put briefly certain approximate figures for the year 1923-24 before the House to show how precarious the financial position of the municipality is. The income of the municipality is about Rs. 71,000, which includes about Rs. 11,000 as toll tax, about Rs. 26,500 as terminal tax and about Rs. 15,000 as house tax. The expenses of the municipality amount to about Rs. 68,000. So the income and the expenditure practically balance each other. The most deleterious effect of the exclusion on the finances of the municipality will be the consequent reduction in toll tax by about Rs. 5,500, in terminal tax by about Rs. 15,000 and in house-tax by about Rs. 4,000. Not only this, but the increase in the expenses of the board under the following heads will add considerably to its financial embarrassment. Firstly, hitherto the contribution to the Sadar hospital was only Rs. 926, but henceforth it will be something like Rs. 5,000 owing to the revised rules of contribution coming into force; secondly, there will be an approximate increase of Rs. 3,000 on account of the maintenance of intra-municipal roads, up till now maintained by the district board; thirdly, Rs. 1,000 will have to be spent on free and compulsory education which has recently been introduced in one of the wards of the municipality; fourthly, while the toll tax will be reduced by half, as I have already stated, the expense of collection of Rs. 4,000 will remain as it is, which means an expenditure of Rs. 4,000 on the collection of Rs. 5,400 as toll tax, which it will not be advisable to retain. With the abolition of toll tax the concomitant terminal tax will also have to be done away with. So the entire deficit which will have to be recouped by the municipality will be something like Rs. 50,000 in round figures. From these figures the House will be able to see that it will be simply impossible for the municipality to meet this enormous deficit when the income and expenditure of the municipality practically balance each other. The municipality is, therefore, under a clear danger of ceasing to function, if the help asked for is withheld by the Government. I would, therefore, request the Government to advance at least a sum of one lakh as first instalment at present, if not possibly the entire sum of grant and loan.

With these words I beg to commend this motion for the acceptance of the Government.

Pandit Govind Ballabh Pant: I rise to support the motion just moved by Rai Jagdish Prasad Sahib. In doing so, I do not know if I will be in order in raising the question of the loan account of the United Provinces Government, whether I can inquire from the Hon'ble the Finance Member what is the situation in respect of the indebtedness of the Government, what is the amount that the Government has to pay, what

[Pandit Govind Ballabh Pant.]

is the rate of interest at which different loans have been taken, what is the total annual liability in the form of interest and sinking fund that has to be incurred, and if the Government has been paying these sums out of the revenues or expects to be able to do so in the near future, or whether it is only by means of book transactions that these liabilities are being met?

The second point that I want to put is whether the local bodies and the improvement trusts have been paying back the instalments that were due by them and whether the interest payable by them is being paid in accordance with the terms of their agreement?

The third point that I want to know is about the details of the United Provinces Development Loan, if for nothing else at least for the satisfaction of my old friend Mr. David, as to how the money has been spent so far, whether it has been actually allotted to the purpose to which alone it ought to have been in accordance with the terms of the resolution by means of which this loan was incurred or the sanction was sought for borrowing this amount, and if the instalments are being paid, and further, how the liability is to be discharged so far as the Government of India is concerned. What is the annual extent of the liability of this Government in respect of the various loans including the Development Loan? Then, Sir, in this connection I also want to invite the attention of the Hon'ble the Finance Member to a paragraph from the report of the Naini Tal municipality which I had occasion to refer to once before in connection with the hydro-electric scheme. It says:—"As regards the finance of the scheme, you have already addressed Government through me." The paragraph I am reading to you is embodied in the commissioner's letter to the chairman of the municipal board on the working of the municipal board for the year ending 31st March, 1922. "It is unnecessary to go over the ground again. It is sufficient here to recapitulate the facts; that the board having originally contemplated a scheme costing four lakhs finds itself committed, through no fault of its own, to a scheme costing twenty lakhs; that having been led to hope that the scheme would be self-supporting in three or four years, it now finds that the scheme is unlikely to be self-supporting in less than seven years; that its annual income is little over 2½ lakhs, an amount insufficient to pay for its ordinary services. It is manifest that if it is required to bear any but a small part of the burden of financing the scheme, the board is already bankrupt. I am not without hope that Government will admit the cogency of these facts and treat the board with generosity." I will not recapitulate the facts about this scheme. They are well-known to the Government. A hydro-electric scheme was accepted by the municipal board of Naini Tal on the understanding that it would not involve an outlay of more than four lakhs so far as the board was concerned. When part of the scheme was completed the amount was raised to 11 lakhs, and when further progress was made it went up to 22 lakhs. Now the board finds that it is absolutely incapable of meeting these demands and it will be completely ruined if financial relief is not given to it. I think Government will find it necessary to wipe out part of the debt that has been advanced to the board for the purposes of this scheme, and I have read the paragraph in this connection.

The Hon'ble Mr. S. P. O'Donnell: I am afraid I cannot give the honourable member the detailed information he asks for about loans, because I did not know he was going to ask for it. But a certain number of questions on this subject have been sent in, and in reply to these questions we are giving full information. Roughly speaking, there was a Development Loan of 4,20,00,000; since then we have been taking advances from the Government of India—for the Sarda canal—something over a crore last year, the year before last, and during the present year, and then there are the other loans which I detailed in the financial statement. But the reply to the questions to which I referred will give full information on these points. All these loans except the Sarda advances are covered by a sinking fund. There was undoubtedly an overdraft on the United Provinces loan—that I stated in the very first budget speech I made in 1923. I can only say that, as I explained in the financial statement, we hope the position will be better at the end of this year than it was two years ago, and we also hope that we shall gradually wipe off that overdraft by debiting to the loan expenditure on the objects for which it was raised. As regards the Naini Tal municipal board we intend to have a small committee in the hot weather to look into the question of the claim made by the board for lenient treatment in respect of the loan.

Mr. Mukandi Lal: I just want to ask one question, and that is, whether it is a fact or not that at the time the United Provinces loan was floated it was understood that it was to be used also for the Hardwar-Karanprayag railway, and whether Government has any intention to use part of the loan for Hardwar-Karanprayag railway, or whether it is going to ask the permission of the Government of India to build it. So far as I remember this fact was advertised when the loan was floated.

Mr. E. A. H. Blunt: As far as I remember the prospectus may have mentioned railway development as its object, but I do not remember any reference to the Hardwar-Karanprayag railway, and I may say that, this railway is regarded as not at all a paying proposition.

The Hon'ble Mr. S. P. O'Donnell: Railways are now constructed by the Government of India. If the railway is going to be a paying one the Government of India construct it themselves. If it is not likely to pay they are prepared, in a number of cases, at any rates to construct it, provided the Local Government will guarantee them against loss. Naturally we are somewhat reluctant to do that in the present conditions of our finances. This particular railway is one which is never likely to be a paying proposition, and it is therefore impossible to ask the Government of India to construct it and to guarantee the interest charges. I do not think they allow us at present to construct railways at all.

The Hon'ble Rai Rajeshwar Bali: I wish to refer only to one point raised by Rai Sahib Jagdish Prasad, that is with regard to the *mandi* in Muzaffarnagar. I am told that the request for the grant of the loan was made only in January, and the commissioner said that he would supplement that request by further information. That information has been received only in March—that is in this month. So we could not go into the question. At present I can only say that we shall try to look into it thoroughly soon. About the exclusion of the *mandi* from

[The Hon'ble Rai Rajeshwar Bali.]

the municipal board, I am told that this is largely inter-dependent on the first question. Both questions will be looked into together very soon.

Motion by leave withdrawn.

The demand for Rs. 16,01,000 was put and voted.

Demand No. 30.

EXPENDITURE IN ENGLAND MET FROM REVENUE—HIGH COMMISSIONER.

The Hon'ble Mr. S. P. O'Donnell : I beg to report to the Council the recommendation of His Excellency the Governor that under head Expenditure in England met from Revenue,—High Commissioner a sum of Rs. 3,62,790 be provided, and I move that this sum be voted.

Mr. Mukandi Lal : I beg to move that the demand of Rs. 29,000 in respect of the item regarding Local Government's share of the cost of the High Commissioner's establishment (Students' department) at page 116 of the Detailed Estimates be omitted.

The contribution which our Government makes towards the High Commissioner's establishment may be for various departments, but, so far as I am concerned, at the present moment I want only to offer some criticism concerning Indian Students' department, and therefore I have expressly mentioned in my motion the Students department, and my criticism will be confined thereto. Sir, it is right for every nation to look after the welfare of its students, of its youths who go to foreign countries for educational purposes. Our young men have been going to European countries for education for the last fifty years. The first batch included Sir Surendra Nath Bannerjee, W. C. Bonnerjee, Lal Mohan Ghose and R. C. Dutt. Since then our students have been going and coming. We find definite records from 1879, when we find the exact number of students who joined the Universities of Great Britain. We find that at present the total number of students according to the figures the Lytton Committee was able to collect is 14,050, but the committee came to the conclusion that they were convinced, and I am of the same opinion, that there are not less than 20,000 students in Great Britain who had gone there for the purpose of study in 1921. Out of them 145 were at Cambridge, 144 were at Oxford and 343 were studying law in London, and the balance of 632 were in the various provincial Universities of Great Britain, most of them being engaged in engineering, medical or industrial studies. Sir, we find there has been great and rapid progress in the number of students going to Great Britain. I find that in 1879 there were in Cambridge only 3 students. There was a rapid increase. In 1892, 16 students were admitted at Cambridge in one year, and the next big jump was in 1907 when 47 students were admitted in one year at Cambridge. Similar are the figures for Oxford also. I wanted to give these figures with a view to show that there is an increasing number of Indian students going to foreign countries, as we find that in the year 1918, 219 Indian students went to England, in 1920 the number was doubled, in 1920, 501 students went to Great Britain. It has been stated by the Lytton Committee that they look forward to a time when there will be very good educational institutions in our own country, and it may not be necessary for our young men to go to foreign countries. I personally disagree with the view of the Lytton Committee. I do not think it is

ever likely to decrease the number of our students going abroad even if you put a stop to the I.C.S. examination or I. E. S. or any other public service. I think the craving for knowledge is so great in us that it is not possible for any human agency, whether it is brought into being by a high class institution in this country or any artificial means, to reduce that number. I think the number is likely to remain as it is at present and even go higher. We have seen from the experience of other countries, as for example in the case of China and Japan which are self-contained and independent countries; yet they find the usefulness of going to foreign countries. I look forward to that time when foreign students may come to our country. Dr. Tagore has established Viswavarti with that end in view in his Shanti Nikatan for providing facilities for foreigners.

First of all I wanted to find out what is the object of our Indian students for which they go to foreign countries. Two hundred and sixty witnesses were examined by the Lytton Committee, and the Lytton Committee found—from the evidence that was produced before them—what was the ideal and object in view of the students who went to foreign countries—what was the ideal in their mind. The Lytton Committee Report says:—"Facilities are demanded by the Indian student for the study of such subjects as shipbuilding, aeronautics, town-planning, municipal administration, social service, co-operation in agriculture and industry as well as the general principles of naval and military organization, and strategy. These demands are made by students who take a wider view of their aims than the mere improvement of their prospects in life. They regard their education abroad as not merely a personal concern, but also a matter of great national importance; they hope to use the knowledge and experience they gain for the benefit of India; they feel that their work in the United Kingdom affects their future careers as servants of their own country; they consider that on the training of the younger generation depends the political and economic destiny of India and the success of the parliamentary institutions recently established there." Then the committee goes further and says:—"We sympathize entirely with their aspirations, and we do not think there can be any question that in this wider outlook on the part of the students and in the desire for the development of India through the education of her sons and daughters lies much of the hope for the future. In our opinion, therefore, it is highly desirable in the interests both of India and of the Empire that those Indians who wish—and in present circumstances are often obliged—to obtain higher education abroad should be given all the assistance they require to make their venture a success in whatever country they may select, and that those who proceed to the British Isles should always be welcomed."

Unfortunately for some time past in the minds of our young men in Great Britain there has been an apprehension and suspicion and fear, and they seem to have come to the conclusion that the guidance that is afforded to the Indian Students' department through the agency of the India Office is more directed towards the obstruction of their getting admission into the Universities or is with a view to keep watch on their political career and political activities or with a view to discourage their going abroad. In this connection also I am sorry to observe that even the Lytton Committee has come to the conclusion that the fear seems to be to some extent well-founded from the point

[Mr. Mukandi Lal.]

of view of the students. In this connection they examined a number of students of Oxford and other Universities, and as I think that the Oxford University leads the public opinion in England so far as the Indian public opinion is concerned—there also I would only refer to what they thought of the (Indian) Oxford students. The Oxford students fear and suspicion of the Indian Students' department is based on three grounds. First is that of political motive. This political motive was put forth by Dr. Bahl, who said that they had documentary evidence that speeches made here at the University by Indian students were often reported and sent to the authorities. Moreover, they were often badly reported, and seditious statements incorrectly attributed to them. This was injurious in their subsequent careers, as the authorities held these reports as records against them. Sir, we find at our cost, even in spite of such excellent and very good expert stenographers and shorthand-writers—we do find that often more or less they fail to catch the real meaning of a word—they take down one word for another word. So in the same way some of our Oxford students have been victimized on account of the false reports that have been submitted to authorities. The other fear that has been put forth by no less a moderate man than Mr. P. N. Saprú, the son of Sir Tej Bahadur Saprú, is in regard to the admission of Indian students. Mr. Saprú then told the committee of his own experiences in regard to the delegacy. Two years previously he had applied in India, and had been told that there were no vacancies at Cambridge. On trying to enter Oxford the Students' department informed him that the list was already full here also; in spite of this, he came to Oxford and gained admission at Lincoln College without any trouble. He had known many cases of students adopting this plan of procedure. I will give my own concrete instance—by way of parenthesis I may say that but for the kindness of Mr. Fremantle I would never have got my passport and would not have been able to go to England—but even when I did go there the Indian Students' department told me that there was no vacancy at Oxford. I went there myself and joined the University first as a non-collegiate and later through the introduction of Mr. Nevinson and the kind assistance of Professor Gilbert Murray, I was able to get into Christ Church, which is a difficult job. This I give as an instance of the experiences of Indian students. I am prepared to admit that the Indian Students' department did not deliberately obstruct, but they did not take sufficient care to help the students.

The third point is this that now somehow or other the question of a certificate of loyalty and respectability is a new innovation introduced there. About this the Oxford representative Dr. Bahl mentioned a similar case where a student had applied for admission to one of the Inns of Court. He had been asked to produce such certificates, and went to the Students' department to try and obtain them. The department disputed the right of the Inns of Court to demand such certificates, but was not able to give them to the student. A certificate signed by his tutor was not considered sufficient by the Inns of Court. That is to say, the Indian Students' department instead of giving him the certificate, ridiculed the idea of the Inns of Court asking for a certificate and did not

give the certificate. These are the three difficulties that are created in our way for which the Indian Students' department is held responsible; and they are after all human beings, and you should not be surprised that they have suspicion that the present agency is to discourage their going to Europe and is defective and open to suspicion. In this respect I want to bring to the notice of the Government the recommendation of the Lytton Committee, and why I urge this point is this, that this Lytton Committee cost a good deal of money to the tax-payer, but their recommendations have not been carried out by the Government. The Indian Students' department, whose abolition the Lytton Committee recommended in unequivocal terms, still continues and our Government are paying their part of the quota towards the expenditure for the Indian Students' department. They should bear in mind the recommendations of the Lytton Committee. The Lytton Committee came to the conclusion that the Indian Students' department had failed either to acquire the confidence of the bulk of the students or to meet adequately the requirements of the University, and its efforts to secure facilities for practical work of training had been too restricted, and it had failed to make its existence and functions sufficiently well-known to British Educational authorities. I will not quote their words, but will describe very briefly what the considerations and plans of the Lytton Committee are as an alternative. They think that Indian Universities should have in India a Foreign Students' Bureau, to which the Indian students, who go to foreign countries for higher education, should apply through their Universities to secure for them admission into the educational institutions of Great Britain. There may be students who may not be students of any University; for them the Lytton Committee think that they can apply independently. But for them also they do not consider that it is necessary to go through the Indian Students' department or through any official agency.

As regards the all-India question, it will be possible in future if the Government constitute a committee of the Foreign Educational Bureau to establish in India an All-India Foreign Education Bureau. On this may be represented all provinces, all Universities and all shades of opinion, who may be able to help Indian students. The Lytton Committee suggests the utilization of the offices and services of the High Commissioner. But there also the Lytton Committee is of opinion that the High Commissioner should not be approached by Indian students as students, but as Indians. The High Commissioner's business is not to scrutinize the political views of the students but to safeguard their interests, as the embassies of other countries do. Mr. President, other foreign Governments also look after their interests. They have also agencies and embassies in Great Britain. Their students seek admission to the Universities of Great Britain through the accredited representatives of their Governments. In our case we have the High Commissioner. Whether we may agree with this or not, but at least he is supposed to safeguard the interests of Indian students. But there the fear of the Lytton Committee and the Government is that the Indian students when they go to England come in touch with various shades of political opinion; they come in touch with people of free ideas, and when they come back they may be inclined to promulgate those ideas in their country.

[Mr. Mukandi Lal.]

There is also another suggestion made by the Lytton Committee which was brought to their notice by the head of New College, with whose "spoonerisms" some of the Government members here may be acquainted. It is that Indian students when they go to the University are treated as their equals by the English students, but when they come back to India they find that they are not treated on terms of equality and not given the same political freedom as was given to them in England. Therefore it causes discontent in this country. I will in conclusion submit that we cannot deny the fact of the political bias; we cannot deny the fact of the suspicion also. Therefore the Indian Students' department should be purged of this suspicion, and in India there should be an Indian University agency and our students should be sent out through this University agency which should be in communication with the Western Universities.

Another point in which Government can take interest is that they should make it incumbent on these English industrial concerns that they should take as apprentices those Indians who go to England for engineering and other industrial work. These are the criticisms which I have to make on this problem of Indian students which I consider to be of vital importance, and I move this motion for reduction in our contribution to the High Commissioner's office.

[The Council then adjourned for lunch.]

After the adjournment the Deputy President took the Chair.]

Kunwar Jagdish Prasad : It is with considerable difficulty that a quorum has been formed, and I will therefore avoid doing anything which may break up the quorum. After discussing the budget for twelve days perhaps honourable members have had a surfeit of speeches. I now proceed to deal with the points raised by the honourable member for Garhwal.

The House is aware that the Assembly in 1921 refused provision for the Lytton Committee's expenses in India, and the result was that investigations were confined to taking evidence in England only. The evidence of parents of Indian students as also of students who had returned from England after completing their studies could not be taken. The Lytton Committee were emphatic about the need of an organization both in England and in India to help Indian students. When I went to England myself there was no organization at all, and I can assure the honourable member that I had the greatest difficulty in making arrangements for my study in England. There was nobody to advise me as to how to get to a University and what course to follow. Therefore it will be admitted on all hands that there should be a proper organization in England and also in India, without which Indian students are likely to have great difficulties. The charge which was laid against the Indian Students' department in England and to which my honourable friend referred, so far as the conclusions of the Lytton Committee go, cannot be said to have been established. I will quote very briefly as to what the Lytton Committee have said in regard to the point mentioned by my honourable friend that the students thought that their activities in England were being watched by the Indian Students' department :—

"We have, however, been assured by the authorities at every University that they have never asked for or received from the department any information regarding the political opinion of Indian students, and we are satisfied that the suspicion that the department exercises any form of political espionage is without foundation. We are also convinced that if it had not been for the efforts of the department the number of Indian students at Cambridge and Oxford, at any rate, would be less than it is at present."

This is the deliberate conclusion of the Lytton Committee as regards the charge against the Indian Students' department in England with reference to the political activities of the Indian students.

The other point is that when the Indian Students' department was established in England it was established in circumstances which at once led to a certain amount of suspicion on the part of the Indian students. Three months after the establishment of the Indian Students' department Sir Curzon Wylie was murdered, and then came the War. There was a good deal of activity on the part of the police authorities in regard to foreigners generally who were living in England at the time. The honourable member has referred to the evidence given by Mr. Sapru at Oxford when the committee was there. I suppose that he knows that Mr. Sapru is now the Secretary of the Students' Advisory Committee in this province, and that shows that Mr. Sapru, whatever views he may have held when he was a student of Oxford, is at present willing to work as Secretary of an organization which is connected with the Indian Students' department in England. The next point is that the High Commissioner at present is Sir Atul Chandra Chatterjee, an officer who is well known to many honourable members of this House, and I am sure that nothing that Sir Atul can do to advance the interests of Indian students will be left undone.

As regards the various recommendations of the Lytton Committee, they are being examined. They affect not only this province, but other provinces also. Correspondence is, I believe, going on between the Government of India and the Secretary of State, and I am sure that some scheme will be devised which will afford greater facilities to Indian students who proceed to England. We know that Indian students who go to England should be given every facility to complete their studies there, and the matter is engaging our attention. We will bear in mind the suggestions which my honourable friend has made. These suggestions are based on his personal experience in England, and I can assure him that the Hon'ble the Minister of Education, the Director of Public Instruction and myself recognize the very great importance of this subject, and that we will leave nothing undone which will help Indian students to have a successful and pleasant time in England while they are prosecuting their studies there.

Motion negatived.

Mr. Mukandi Lal: I move that the demand of Rs. 26,000 in respect of the item regarding allowances, etc., of selected candidates for the Indian Civil Service at page 117 of the Detailed Estimates be reduced by Rs. 2,000.

My object in moving this motion is to make certain inquiries from the Government. The first question is as to what this increase of Rs. 2,000 is due to. Is this sum intended to cover the expenses of

[Mr. Mukandi Lal.]

selected candidates for the Indian Civil Service for the period of their probation, and whether this provision is in accordance with the recommendations of the Lee Commission?

The second point is whether it is not advisable that the candidates on passing the Indian Civil Service Examination should not spend their probationary period in England, but should come out to India so that they may become familiar with Indian customs and Indian languages before taking up their official duties. I for one would even like them to be attached to Indian Universities, so that even the latter might profit by their presence. To my mind it is sheer waste of public money if the selected candidates have to spend their probationary period in England.

The Hon'ble Mr. S. P. O'Donnell: I must admit that I do not know the exact reason for the small increase of Rs. 2,000, but I notice that the estimate for 1924-25 was Rs. 27,000 and the estimate for the coming year is Rs. 26,000.

Actually only Rs. 24,000 was spent during the present year. I presume the difference is due to fluctuation in the precise number of students between one year and another.

As regards the other point raised by the honourable member, most of this Rs. 26,000 is for the Indian students, who are sent home after being selected in this country for a two years' course. They get, I believe, £150 for each of the two years. The rest is for the students who are selected in England, and they, I think, get £150 for one year. That one year is very essential, as during that period they study political economy, law and a variety of other subjects which are likely to be useful to them when they come to this country.

Motion by leave withdrawn.

Mr. Mukandi Lal: I move that the demand of Rs. 3,62,790 in respect of the item regarding Expenditure in England (grand total), General, at page 117 of the Detailed Estimates be reduced by Rs. 99.

This sum of Rs. 3,62,790 is our contribution towards the expenses of the staff of the High Commissioner, and so I think it is the duty of the High Commissioner to do all he can to safeguard the interests of Indian students. In the report of the Lytton Committee, which was quoted by my honourable friend the Educational Secretary and from which I myself quoted, it will be found stated:—"We have had it brought home to us that the British Universities and colleges consider it their primary duty, as it was the object of their foundation to provide education for the young men and women of the British Isles. To these they assign a preference, as having the first claim upon them." It is likely that they will in future take less and less of Indian students, for there is a growing pressure of British undergraduates on them. In this connection I should like to state that if we are made to pay for the expenses of the High Commissioner and his staff, it is only fair that the doors of British Universities should not be shut against Indian students merely on the ground that more and more British undergraduates are coming forward to enter them.

[Mr. Mukandi Lal.]

Another point which I wish to submit is that it is the duty of the High Commissioner to defend the cause of Indians in the colonies, and to see that the invidious and insulting treatment that is at present meted out to us is at once stopped. I have got a cutting in my hands which says that in South Africa they have sent out notice to private individuals to the following effect:—"It is a very important question for every housewife to consider. When you deal with the coolie you must remember that you are removing the colour bar to deprive your own children of employment. If you are still trading with the coolie (the Indian), remember we have your name on the list of defaulters to the white standard." Another African paper says:—"The Asiatic is a menace to the white man; we must oust the coolie. We must segregate him. We must drive him out of the country." That is the feeling about us the members of the blessed British Empire. It is the duty of our representative in London to champion our cause if he is to be paid by us. Therefore, Sir, I submit that the High Commissioner being there at the heart of the Empire should safeguard our interests. It is his business to bring to the notice of the British authorities there the treatment that Indians are receiving in the Dominions. It will be to the interests of Indians and the Empire at large. Therefore I urge that a copy of this debate be forwarded to the High Commissioner.

[At this stage the Hon'ble the President resumed the Chair.]

The Hon'ble Mr. S. P. O'Donnell: The High Commissioner has really nothing to do with all these matters. The question of the Dominions and of Indians in the Dominions is a matter which is dealt with by the Government of India and the Secretary of State. The High Commissioner has nothing whatever to do with that. This sum of Rs. 3,62,790 is for annuities, pensions, leave allowances, and so on. The High Commissioner is Sir Atul Chandra Chatterjee, and I think everyone who knows him will agree with me that he will so far as lies in his power and so far as his department is concerned do all he can to promote the interests of India.

Motion by leave withdrawn.

Demand voted.

Demand No. 31.

EXPENDITURE IN ENGLAND UNDER THE CONTROL OF THE SECRETARY OF STATE.

The Hon'ble Mr. S. P. O'Donnell: I beg to report to the Council the recommendation of His Excellency the Governor that under head Expenditure in England under the control of the Secretary of State for India a sum of Rs. 14,000 be provided, and to move that this sum be voted.

The demand was put and voted.

The demand under head of account 6—Excise for Rs. 13,78,000 was put and voted.

The demand under head of account 41—Civil Works—Grants-in-aid for Rs. 4,90,400 was put and voted.

The demand under head of account Public Works and other, outlay for development not met from revenue for Rs. 83,69,413 was put and voted.

[The Hon'ble Mr. S. P. O'Donnell.]

The demand under head of account 46—Stationery and Printing for Rs. 9,62,973 was put and voted.

The demand under head of account 7—Stamps for Rs. 4,15,900 was put and voted.

The demand under head of account 45—Superannuation allowances and pensions for Rs. 52,75,667 was put and voted.

The demand under the head Civil Contingencies Fund for Rs. 1,00,000 was put and voted.

The demand under head of account 11—Subsidized Companies for Rs. 5,200 was put and voted.

The demand under head of account 30—Scientific departments for Rs. 20,600 was put and voted.

The demand under head of account 9—Registration for Rs. 4,76,700 was put and voted.

The demand under head of account 37—Miscellaneous departments for Rs. 72,200 was put and voted.

The Council was then adjourned until Monday, the 30th March, 1925.

LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

Monday, 30th March, 1925.

THE Council met in the Council Chamber, Lucknow, at 11 a. m.
The Hon'ble the President in the Chair.

PRESENT :

The Hon'ble Mr. S. P. O'Donnell.
The Hon'ble Raja Sir Muhammad Ali
Muhammad Khan, Khan Bahadur.
The Hon'ble Lieut. Nawab Muhammad
Ahmad Sa'id Khan.
The Hon'ble Rai Rajeshwar Bali.
Mr. C. L. Alexander.
Mr. E. A. H. Blunt.
Kunwar Jagdish Prasad.
Mr. G. B. H. Muir.
Mr. A. C. Verrières.
Mr. C. E. D. Peters.
Mr. J. R. W. Bennett.
Mr. S. H. Fremantle.
Mr. R. Burn.
Mr. B. J. K. Hallows.
Mr. C. M. King.
Mr. F. F. R. Channer.
Mr. A. D. Ashdown.
Colonel A. W. R. Oochrane.
Mr. A. H. Mackenzie.
Mr. G. Clarke.
Raja Bahadur Brij Narayan Rai.
Mr. H. David.
Babu Narayan Prasad Arora.
Babu Sangam Lal.
Babu Mohan Lal Saksena.
Babu Damodar Das.
Babu Jai Narayan Chaudhri.
Babu Bhagwati Sahai Bedar.
Thakur Manjit Singh Rathor.
2nd Lieut. Chaudhri Balwant Singh.
Rai Jagdish Prasad Sahib.
Chaudhri Jaswant Singh.
Chaudhri Sheoraj Singh.
Pandit Nanak Chand.
Lala Babu Lal.
Thakur Rajkumar Singh.
Thakur Shib Narayan Singh.
Rai Bahadur Babu Ram Nath Bhargava.
Rai Bahadur Pandit Kharagjit Misra.
Lala Dhakan Lal.

Babu Nemi Saran.
Chaudhri Badan Singh.
Thakur Sadho Singh.
Pandit Brijnandan Prasad Misra.
Pandit Bhagwat Narayan Bhargava.
Pandit Jhanni Lal Fande.
Lieut. Raja Durga Narayan Singh.
Lieut. Raja Bahadur Hukm Tej Pratap
Singh.
Pandit Sri Krishan Dutt Paliwal.
Babu Parsidh Narayan Anad.
Pandit Yajna Narayan Upadhya.
Rai Bahadur Thakur Hanuman Singh.
Bhaya Hanumat Prasad Singh.
Pandit Baijnath Misra.
Pandit Govind Ballabh Pant.
Pandit Hargovind Pant.
Mr. Mukandi Lal.
Babu Ram Chandra Sinha.
Kunwar Rajendra Singh.
Rai Bahadur Thakur Mashal Singh.
Babu Sita Ram.
Mr. Zahur Ahmad.
Dr. Muhammad Naim Ansari.
Mr. Muhammad Aslam Saifi.
Maulvi Zahur-ud-din.
Rao Abdul Hamid Kuan.
Khan Bahadur Chaudhri Amir Hasan Khan.
Maulvi Muhammad Obsid-ur-Rahman Khan.
Hafiz Hidayat Husain.
Khan Bahadur Shaikh Masud-uz-Zaman.
Nawab Muhammad Yusuf.
Saiyid Muhammad Ashiq Husain.
Khan Bahadur Maulvi Fasih-ud-din.
Mr. Ashiq Husain Mirza.
Khan Bahadur Munshi Siddiq Ahmad.
Khan Bahadur Chaudhri Muhammad Rashid
ud-din Ashraf.
Mr. St. George H. S. Jackson.
Lala Mathura Prasad Mehrotra.
Lieut. Raja Shaikh Imtiaz Rasul Khan.
Raja Jagannath Bakhsh Singh.

MEMBERS SWORN :

Mr. C. L. Alexander.
Mr. J. R. W. Bennett.
Mr. B. J. K. Hallows.

QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

KING-EMPEROR *versus* GAYA PRASAD AND OTHERS.

* 1. **Babu Mohan Lal Saksena:** Is the Government aware of the remarks made by the Sessions Judge, Unao, regarding the conduct of the two police sub-inspectors in his judgment, dated the 31st July, 1924, in the Sessions trial No. 41 of 1925, *King-Emperor versus* Gaya Prasad and others?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: The Government have not seen the judgment, but a copy was received by the Inspector-General of Police.

* 2. **Babu Mohan Lal Saksena:** Did the district authorities make any departmental inquiries into their conduct as recommended by the Sessions Judge?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: One of the sub-inspectors had already been dismissed before judgment was delivered. Departmental action is being taken against the other.

* 3. **Babu Mohan Lal Saksena:** If the answer to the preceding question be in the affirmative, will the Government be pleased to state the result of the inquiries and the departmental action, if any, taken against the two sub-inspectors?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: The departmental proceedings have not been completed. They have been delayed by the inability of the Superintendent of Police to obtain the full judicial record.

* 4. **Babu Mohan Lal Saksena:** If however the answer to the preceding question be in the negative, will the Government state the reasons for which the district authorities have not yet complied with the recommendations of the Sessions Judge?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: Does not arise.

* STOPPAGE OF ARTI NEAR GANDHIAN MOSQUE AT MUZAFFARNAGAR.

* 5. **Pandit Brijnandan Prasad Misra:** Is it a fact that the performance of *arti* was stopped by an order of the present Magistrate of Muzaffarnagar either this year or the last year near the Gandhian mosque? If so—

(a) How long did the Muzaffarnagar Hindus enjoy this right prior to its being closed by the magisterial order?

(b) Was the matter of this *arti* referred to the arbitration of some Muhammadan gentlemen by the local Hindus and Muhammadans prior to the forbidding order of the Magistrate? Will a copy of the award be laid on the Council table?

(c) What reasons prompted the District Magistrate of Muzaffarnagar to issue the prohibitory order in question in disregard of the Hindu-Muslim agreement?

The Hon'ble Mr. S. P. O'Donnell: The performance of *arti* was not stopped by order of the District Magistrate. As long ago as 1918

music was forbidden during the *Isha* prayers at this occasional celebration of the *arti* because it is held in a narrow and much frequented road within 20 yards of the Gandhian mosque. During 1921 and 1922 low music was permitted during the half hour required for the *Isha* prayers as the result of an agreement between the Hindu and Muhammadan communities. Low music would have been allowed in 1923 and 1924 in similar circumstances, but as no agreement could be obtained, the District Magistrate had perforce to revert to the earlier orders. The Hindus were therefore at liberty to perform the *arti* on the old condition that music ceased altogether for half an hour during the *Isha* prayers in the Gandhian mosque twenty yards away.

RAMLILA AT MUZAFFARNAGAR.

* 6. Pandit Brijnandan Prasad Misra : Did the Magistrate of Muzaffarnagar impose any restriction on the procession of the *Ramlila* this year on account of which the Hindus abandoned their procession as a protest against his action ? If so—

- (a) what was the nature of these restrictions and why were they imposed ;
- (b) did any Muhammadans file any application before the District Magistrate praying for such restrictions on the *Ramlila* procession, or did the Magistrate issue them without any such applications ;
- (c) were any restrictions of this kind imposed before even when the *Dashera* and *Muharram* festivals occurred on the same days ?

The Hon'ble Mr. S. P. O'Donnell : Yes.

A statement was made on this subject on the 18th December, 1924. The Governor in Council then said that the Magistrate's action in asking for a programme and in forbidding music in front of the two mosques situated on the proposed processional route was justified by the previous events of September 30 and by the state of feeling in Muzaffarnagar. It was further stated that the situation was such that the District Magistrate would have failed in his duty if he had not taken measures to preserve the peace, and in this object he was successful. The District Magistrate acted on his own initiative.

As regards the last part of the question, 'when the *Dashera* and *Muharram* synchronized in 1917, the Hindus and Muhammadans drew up a written agreement and adhered to it. In 1918 when the two festivals again coincided, the District Magistrate passed an order under section 144, Code of Criminal Procedure, embodying the arrangements arrived at with time tables and details of route and forbidding the carrying of *lathis* or other dangerous weapons except for ceremonial purposes.

ARMS LICENCES.

*7. Mr. Mukandi Lal : Will the Government be pleased to state how many licences for muzzle-loading guns were cancelled or discontinued and how many new applications for licences were rejected in the year 1924 in the districts of Garhwal, Almora and Naini Tal ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: The figures required are as follows:—

District.	Number of licences for muzzle-loading guns cancelled or dis- continued in 1924.			Number of new appli- cations for licences rejected in 1924.
Naini Tal	268	65
Almora	50	131
Garhwal	62	134

The total number of licences in these three districts has risen from 2,874 to 5,166 since introduction of the Arms Rules, 1920.

Mr. Mukandi Lal: Will the Government be pleased to discourage the discontinuing of licence in future?

No reply.

*8. **Mr. Mukandi Lal:** What is the number of men and cattle killed by wild animals in the year 1924 in the districts of Garhwal, Almora and Naini Tal?

The Hon'ble Mr. S. P. O'Donnell: Ninety-three persons were killed in 1924. No record is kept of the cattle killed.

Mr. Mukandi Lal: Will the Government be pleased to keep a record of the cattle killed in future?

The Hon'ble Mr. S. P. O'Donnell: It will be very difficult indeed to keep such a record.

*9. **Mr. Mukandi Lal:** How many tigers and leopards were shot in the Kumaun division in 1924 and how many of them were shot in reserve forests?

The Hon'ble Mr. S. P. O'Donnell: Forty-four tigers and 289 leopards, of which 31 tigers and 12 leopards were shot in reserved forests.

RELEASE OF SRIJUT RAM NARAYAN LAL LAHIRI.

*10. **Babu Mohan Lal Saksena:** Will the Government be pleased to state the date on which Srijut Ram Narayan Lal Lahiri was released from Naini jail and also the total period of remission, if any, granted to him?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: Ram Narayan Lal Lahiri was released on the 8th September, 1923, and was given 11 months and 24 days' remission.

TREATMENT OF THE EDITOR OF SWADESH OF GORAKHPUR IN JAIL.

*11. **Thakur Manjit Singh Rathor:** Is the editor of *Swadesh* of Gorakhpur given hard labour in the jail or is he treated as a special division prisoner?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: As an ordinary prisoner.

*12. **Thakur Manjit Singh Rathor:** (a) In which particular jail is he confined?

(b) Is he permitted to use his own clothes?

(c) Is he allowed access to books and papers?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: (a) In the Gorakhpur jail.

(b) No.

(c) He is not allowed free access to books and papers, but he is allowed to read religious books on Sundays and other holidays and during rest hours.

TREATMENT OF CERTAIN UNDER-TRIAL PRISONERS IN ALIGARH JAIL.

***13. Thakur Shib Narayan Singh:** Will the Government be pleased to state why have the under-trial prisoners Dalchand, Chooraman, Loka and Phopha confined in the Aligarh district jail been kept confined in the solitary cells with fetters on since 26th January, 1925, and who is responsible for this?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: These prisoners were confined to cells as the court ordered that they should be kept separate from other prisoners.

With regard to the imposition of fetters, the honourable member is referred to rule 875 of the Jail Manual.

GOVERNMENT'S ACTION ON RESOLUTION ABOUT AYURVEDIC AND UNANI MEDICINE.

***14. Pandit Brijnandan Prasad Misra:** What action did the Government take upon the Council resolution of Hafiz Hidayat Husain, M.L.C., passed on the 4th April, 1924, regarding the establishment of Ayurvedic and Unani college?

The Hon'ble Rai Rajeshwar Bali: The matter is being referred to a committee for report and advice.

Pandit Brijnandan Prasad Misra: Has the committee been appointed and its terms of reference published?

The Hon'ble Rai Rajeshwar Bali: It has been appointed. The terms of reference will be published very soon.

LIQUOR LICENCES IN DEHRA MUNICIPALITY.

***15. Thakur Manjit Singh Rathor:** (a) What is the total number of liquor licences within Dehra municipality? How many for (1) foreign and (2) country liquors?

(b) What was this number in 1920?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: A statement is laid on the table.

Statement showing number of country spirit and foreign liquor licences within the Dehra municipality during the years 1920 and 1925.

Kind of licence.				1920.	1925.
Country spirit	..	..	..	4	3
Total				4	3
<i>Foreign spirits.</i>					
Off licences	..	..	..	6	5
On and off	..	..	..	1	1
Hotel	..	..	..	2	2
Bar	..	..	..	1	1
Restaurant	..	..	..	2	1
Total				12	10

PARTICIPATION OF HINDU SCHOOL MASTERS IN RELIGIOUS MEETINGS.

* 16. **Rai Bahadur Babu Vikramajit Singh** : Will the Government be pleased to state if a Hindu school master of a Government school is entitled to take part in the religious meetings of Sanatan Dharm or Arya Samaj or other religious activities of the bodies?

* 17. If the answer be in the affirmative, to what extent is he entitled to take part in the meetings?

* 18. If the answer to question No. 16 be in the negative, will the Government give reasons for the answer?

The Hon'ble Rai Rajeshwar Bali : The honourable member is referred to paragraph 330 of the Manual of Government Orders, volume I, a copy of which is laid on his table.

Copy of paragraph 330 of the Manual of Government Orders which is referred to in the answer to starred questions Nos. 16 to 18 asked by RAI BAHADUR BABU VIKRAMAJIT SINGH SAHIB on the 30th March, 1925.

330. Government officials are not prohibited from joining any society which is not an unlawful society; but departmental notice will be taken of the conduct of officials who take part in advocating or organizing a society which sets one class of the community against another class, or in propagating the tenets of such a society. All officials, whatever be their creed or religion, are required to observe a strictly neutral and impartial attitude in the exercise of their official influence, and not to forfeit by taking an active part in societies of the character above described the confidence of the public in their impartiality.

INSTITUTION OF APPEALS IN CAWNPORE JUDGESHIP.

* 19. **Rai Bahadur Babu Vikramajit Singh** : Will the Government be pleased to state how many appeals, civil, revenue and criminal, were instituted in Cawnpore judgeship and how many of each class were disposed of in 1922, 1923 and 1924?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : A statement is laid on the table.

Statement referred to in answer to starred question No. 19 of the 30th March, 1925.

Year.	Civil appeals.		Revenue appeals.		Criminal appeals.	
	Instituted.	Disposed of.	Instituted.	Disposed of.	Instituted.	Disposed of.
1922	490	484	111	138	321	412
1923	424	454	107	23	531	513
1924	575	611	70	192	593	609

ADDITIONAL JUDGE, CAWNPORE.

* 20. **Rai Bahadur Babu Vikramajit Singh** : How long did an additional Judge work at Cawnpore in 1922, 1923 and 1924?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: About four months in 1922, rather more than a month and a half in 1923, and twelve months in 1924.

TRAINED GRADUATES.

*21. **Rai Jagdish Prasad Sahib:** Will the Government be pleased to state—

- (a) what is the number of trained graduates turned out annually by the three higher grade training colleges at Allahabad, Benares and Aligarh; and
- (b) what is the number of these graduates absorbed in the service of teaching by (i) the Education department of the Government, and (ii) aided or unaided but recognized private institutions?

The Hon'ble Rai Rajeshwar Bali: The honourable member is referred to the answers given to starred questions Nos. 14 and 15 on the 18th December, 1924.

Starred questions Nos. 14 and 15 asked on the 18th December, 1924, and the replies given thereto.

No. 14.

Question.—What is the number of trained graduates turned out annually by the three higher grade training colleges at Allahabad, Benares and Aligarh?

<i>Answer.</i> —Allahabad	...	...	58
Benares	...	...	45
Aligarh	...	...	24

For Allahabad and Benares the average for the last three years is given; for Aligarh the actual figures for the first year of existence (1923-24) of the college are given.

No. 15.

Question.—How many of them are absorbed in the service of teaching (i) by the Education department, and (ii) by aided or unaided but recognized private institutions?

Answer.—(i) Twenty-eight.

(ii) Fifty—so far as reported by the teachers to college authorities.

The figures refer to Allahabad and Benares colleges only, and are the average of the last three years.

Particulars regarding the employment of the graduates trained at Aligarh in the session 1923-24 are not available.

INSPECTION OF GIRLS' SCHOOLS BY INSPECTRESSES.

* 22. **Rai Jagdish Prasad Sahib:** Will the Government be pleased to state—

- (a) what class of girls' schools are visited by—
 - (i) the Chief Inspectress,
 - (ii) other Inspectresses;
- (b) what is the number of each class of schools visited by (i) and (ii) in (a) respectively during the year 1923-24?

The Hon'ble Rai Rajeshwar Bali: Inquiries are being made.

TURPENTINE, ROSIN AND BOBBIN FACTORIES.

*23. **Mr. Ashiq Husain Mirza** : Will the Government be pleased to state who were the persons (give names and designations) who valued the materials and goods of the Turpentine and Resin and Bobbin factories for which debentures were taken by Government from the respective companies? What was the valuation, for which amount the debentures were taken, and what was the book value of these materials and goods?

Mr. F. F. R. Channer : (a) Mr. Ryan, Secretary of the Upper India Chamber of Commerce, Cawnpore.

(b)	Book valuation of stocks.	Value assessed by the valuer.
	Rs.	Rs.
Indian Bobbin Company ...	4,30,668	2,86,610

The stock which was written down chiefly consisted of timber which had been in stock for a considerable time.

	Rs.	Rs.
Indian Turpentine Company ...	3,79,821	3,25,735

INSPECTION OF OFFICES OF SUBORDINATE COURTS.

* 24. **Rai Bahadur Babu Shankar Dayal** : Has the attention of the Government been drawn to the fact that the inspection of offices of subordinate courts is done by the head ministerial officer of superior tribunals?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : No.

TRANSFER OF MINISTERIAL OFFICERS OF CIVIL COURTS.

* 25. **Rai Bahadur Babu Shankar Dayal** : (a) Will the Government be pleased to state whether there is any rule under which ministerial officers of civil courts subordinate to the court of the Judicial Commissioner of Oudh are not allowed transfer from one court to another?

(b) Will the Government be pleased to say whether any ministerial officers have been transferred within recent years?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : (a) There is no rule which disallows transfer in such cases.

(b) Yes. There has been one case recently.

PRINTING OF MUNICIPAL BOARD FORMS.

* 26. **Rai Jagdish Prasad Sahib** : (a) Is it a fact that municipalities have to procure their forms from the Government Press which is a costly affair?

(b) Has the Government any objection to local bodies getting these forms printed locally?

The Hon'ble Rai Rajeshwar Bali : (a) Municipalities can print locally all forms except those used in monetary transactions. These last must be obtained from the Government Press. The saving which could be effected by local printing would be small.

(b) Yes. These forms have a potential monetary value and the danger of fraud and embezzlement would be greatly increased if they were printed locally.

AHLMADS ATTACHED TO THE COURTS OF HONORARY MAGISTRATES.

* 27. **Rai Jagdish Prasad Sahib :** (a) Will the Government be pleased to state at what scales the ahlmads attached to the courts of honorary magistrates are paid ?

(b) When were these scales fixed ?

(c) Is it a fact that the post is neither pensionable nor are these ahlmads allowed the benefit of contributing to the provident fund ?

(d) Are their services transferable to the collectorate office or not ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : (a) These ahlmads are paid at the rates of Rs. 20, Rs. 25, and Rs. 35 a month.

(b) In 1922.

(c) The general rule which will be found in paragraph 814C of the Manual of Government Orders is that appointment to the court of an honorary magistrate or bench of magistrates should be made from the permanent district staff. In this case service under the honorary magistrate or bench will count for pension. When a person who has no substantive pensionable post is appointed as clerk in the court of an honorary magistrate or bench, his service is considered temporary and does not confer any title to pension. Temporary clerks have not the privilege of contributing to the General Provident Fund.

(d) No; unless their services have been previously transferred from the collectorate office.

BATHING FAIR AT AJODHYA.

* 28. **Rai Jagdish Prasad Sahib :** (a) Is it a fact that a number of persons were crushed to death and a large number injured on the occasion of the recent bathing fair at Ajodhya ?

(b) If so, will the Government be pleased to give the cause of mishap and the circumstances leading to it ?

(c) Were the police arrangements deficient in any way ?

(d) Will the Government be pleased to state the exact number of persons killed and injured separately ?

The Hon'ble Mr. S. P. O'Donnell : (a) It is a fact that some persons were injured and some killed at recent bathing fair at Ajodhya.

(b) Some women slipped in the crowd going down the slope to the Nayaghat. The crowd was very large and before they could be stopped 11 persons were smothered. A *communiqué* giving all the circumstances was issued by the District Magistrate. A copy of this is laid on the table.

(c) No.

(d) Eleven were killed on the spot and seven were injured, of whom one died next day.

*Copy of communiqué referred to in answer to starred question No. 28
for the 30th March, 1925*

On the 7th March, 1925, from ten to twelve lakhs of people attended the *mela*. Nine sub-inspectors, 35 head constables, 227 constables and 121 chaukidars were on duty. About half of the police force was drafted from other districts. The sub-divisional officer and the deputy superintendent of police were camping at Ajodhya and on the spot throughout the *mela*, and the superintendent of police arrived at 7.30 a. m. Near Nayaghat where the main road slopes and debouches between three-storeyed buildings on to the Sarju sands 11 women were suffocated by the pressure of the crowd, all except one being over 50 years of age. The cause of the accident seems to have been that the dripping of water from wet clothes and *lotas* at a well near by had made the road slippery and one woman slipped and fell. This caused a panic and the crowd swayed and broke, knocking down 10 more women, who were suffocated by the crowd. None of the corpses bore any evident marks of injury. Seven more persons were injured, of whom, three were able to walk away after a short time. The other four were given first aid by the municipal health officer and removed to the Ajodhya hospital as soon as possible. One of them died next day. The dead and the injured were seen by the superintendent of police by 7.30 a. m. and the sub-divisional officer made a proper inquest by 11 a. m. The Seva Samiti of Fyzabad, Gonda and Basti rendered valuable assistance. The Boy Scouts of Fyzabad were specially helpful in collecting and removing the bodies of those who were killed. Help was also rendered by a band of volunteers from the Kutchery officials Club. Several members of the local bar were also prominent in giving help to the authorities. Although the *mela* was unexpectedly large, the municipal authorities had been on the spot for several days previously and spared no pains in making arrangements. The municipal health officer, Dr. Banerji, and Babu Dwarka Prasad, secretary, were specially prominent. The deputy superintendent of police, Thakur Kharak Singh, Babu Ram Kishan Dass, circle inspector, and Mr. Farrant, reserve inspector, were untiring in their efforts to maintain order from 5.30 a. m. till after sunset. The sub-divisional officer, Mr. B. N. Kacker, aided by other deputy magistrates and the tahsil staff remained in Ajodhya from the 5th March, 1925, till the 8th March, 1925. I visited Ajodhya on the evening of the 5th March, 1925 and considered the arrangements adequate. My horse fell with me on the evening of 6th and broke my collar bone. I reached Ajodhya at 3 p. m. Adequate fencing, light and police arrangements were made at all bathing ghats. The boat bridge leading across the Ghogra to the Gonda district was admirably controlled by the police. The barriers were opened at 9.30 and a continuous solid stream of passengers went over till afternoon and thereafter many passengers continuously passed till the barriers were closed at 6.30. On the next day also the barriers were opened at 6 a. m. and a regular stream of passengers continued till afternoon. Not a single person was killed or injured on the bridge or at any other place except for the unforeseeable accident referred to already. As the crowd from the other side of the river was very large, numbers of boats with mallahs were also employed, but no one was upset or drowned. I consider that the sub-divisional officer's and municipal arrangements were all that could be desired.

GUARDIANS OF ESTATES.

* 29. **Babu Jai Narayan Chaudhri:** Will the Government be pleased to furnish the following information in tabular form :—

- (a) the names of estates under the management of the Court of Wards in which guardians have been appointed by the Government ;
- (b) names, ages and pay, with allowances and privileges of such guardians and their ranks and salaries in Government employment previous to their appointment as guardians ;
- (c) the experience each guardian had of India before appointment as such ;
- (d) the year of the appointment of each as a guardian ?

The Hon'ble Mr. S. P. O'Donnell: Guardians of wards whose estates are under the Court of Wards are appointed by the Court of Wards and not by Government under section 27 of the Court of Wards Act, 1912.

A list giving the information required is placed on the honourable member's table.

Guardian.

Names of estates with district.	Name of guardian.	Age of guardian.	Pay with allowances and privileges.	Rank and salary in Government previous to appointment as guardian.	Experience which the guardian had of India before appointment as such.	Year of appointment as guardian.	Remarks.
Deera estate (Sultanpur district).	Raja Jyoti Prasad Singh Deo of Panchkot, ward's father-in-law.	Not known	No pay is given to the guardian.	..	..	1915	Ward is subject to fits of lunacy.
Ditto	Babu Kanti Bhushan Sen, now replaced by Babu Sukumar Halder, assistant guardian.	Ditto	Rs. 400 per mensem.	Both are retired deputy colonels.	..	1915 (Babu Kanti Bhushan Sen), 1925 (Babu Sukumar Halder).	
Rampura Mathura (Sitapur district).	Sardar Sant Singh	69 years and 6 months.	Rs. 50 per mensem.	Not known	..	1910	
Bilehra (Bareilly district).	Hon'ble Raja Sir Muhammad Ali Muhammad Khan, K.C.S.I. Khan Bahadur, K.C.S.I.	Not known	No pay	Home Member. Pay Rs. 5,333-5-4 per mensem.	..	1921	
Patiali (Etah district)	Babu Krishna Sarup	Ditto	Do.	Not in Government service.	..	1924	
Bhaiya Suraj Prasad Singh (Gonda district).	Bhaiya Beni Madho Singh.	36 years	Rs. 75 per mensem.	Ditto.	..	1924	
Oel (Kheri)	Pandit Biheshwar Nath Kaul.	Not known	Pay Rs. 80 per mensem, allowance Rs. 30 and shares his meals with the Raja's grandson.	..	..	Not exactly known, but he was probably appointed some time in 1915 or 1916.	Companion and guardian to the grandson of Raja of Oel.

SEPARATION OF AUDIT WORK FROM ACCOUNTS.

* 30. **Khan Bahadur Munshi Siddiq Ahmad** : Will the Government be pleased to make a statement—

- (1) as to the extent to which the audit work has been separated from that of accounts in the United Provinces, that is, whether a central office has been created or whether each department will make its own arrangements for the purpose ;
- (2) what emoluments will be given to the officials engaged on this work ; and
- (3) what examinational qualifications in audit and accounts have been prescribed for such officials ?

The Hon'ble Mr. S. P. O'Donnell : None of these matters have yet been decided. The whole subject is still under discussion with the Government of India.

SEED DÉPÔTS.

* 31. **Thakur Shib Narayan Singh** : Will the Government be pleased to state—

- (a) in how many districts Government have opened agricultural seed distributing centres up to the end of the year 1924,
- (b) what is their total number ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) Seed dépôts exist in 38 districts.

(b) The total number is 90, which includes nine financed by district boards and four by the Court of Wards.

PRIVATE FARMS.

* 32. **Thakur Shib Narayan Singh** : How many private farms have been opened in 1924 ? What is their total number in the whole province ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) Seventy-four.

(b) Four hundred and forty-one.

TUBE-WELL INSTALLATIONS.

* 33. **Thakur Shib Narayan Singh** : How many tube-well installations have been provided to private persons on loan or on instalment system during the years 1920 to 1924 in each district ? Please state the numbers installed for (a) zamindars and (b) tenants, respectively ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : None. I may add that the Collector can give *tuqvi* for tube-wells.

AGRICULTURAL SUB-COMMITTEES.

* 34. **Thakur Shib Narayan Singh** : How many district boards have formed agricultural sub-committees in response to the Government circular for the development of agriculture ?

Is the Aligarh district board one of them ? If not, why ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) Fourteen.

(b) The board declined to form a sub-committee. They considered it superfluous, stating that there were already two agricultural farms in the district.

Mr. Mukandi Lal : Will the Government be pleased to see that these committees are formed in other districts also where they do not exist at present ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : It is for the boards to decide. We cannot force them to form such committees.

GRAZING CATTLE IN THE VICINITY OF SHERAMAU, SHAHJAHANPUR.

* 35. **Thakur Sadho Singh :** Is the Government aware that several villages in the vicinity of Sheramau (north) in Shahjahanpur district have been long accustomed to graze their cattle and cut grass and timber from the forests of the zamindars of Sheramau (north) on the Rel river across the canal, by Sheramau-Nachan thoroughfare ?

The Hon'ble Mr. S. P. O'Donnell : Government have no information.

MUSLIM INSPECTOR OF SCHOOLS.

* 42. **Raja Saiyid Ahmad Ali Khan Alvi :** Since when has the post of a Muslim inspector of schools, whose duties were to inspect and look after Muslim schools and *maktabs* in these provinces, been abolished ?

The Hon'ble Rai Rajeshwar Bali : The post has not been abolished.

Mr. Muhammad Aslam Saifi : Is it not a fact that the same inspector is in charge of a division also ?

The Hon'ble Rai Rajeshwar Bali : Yes.

MEMBERS OF THE BOARD OF INTERMEDIATE EXAMINATION.

* 43. **Raja Saiyid Ahmad Ali Khan Alvi :** (1) Will the Government be pleased to state the proportion of Muslim to non-Muslim members of the Board of Intermediate Examination ?

(2) Is the Government aware that some sub-committees of the Board of Intermediate Examination have no Muslim members on it ?

The Hon'ble Rai Rajeshwar Bali : (1) Four out of thirty-four.

(2) Yes.

MUSLIM AND NON-MUSLIM TEACHERS.

* 44. **Raja Saiyid Ahmad Ali Khan Alvi :** Will the Government be pleased to state the number of Muslim and non-Muslim teachers in the following institutions :—

- (1) in primary schools,
- (2) in Government high schools,
- (3) in Government intermediate colleges,
- (4) in district board schools,
- (5) municipal schools ?

The Hon'ble Rai Rajeshwar Bali: The only figures available are for English institutions, and those are as follows:—

(1) In Government high (including normal) schools—

Muslim	...	...	...	284
Non-Muslim	...	...	...	924

(2) In Government Intermediate colleges—

Muslim	...	...	...	17
Non-Muslim	...	...	...	43

OBJECTIONABLE PASSAGES IN "CHILDREN OF THE MOTHERLAND."

* 45. **Raja Saiyid Ahmad Ali Khan Alvi:** Is the Government aware that the book entitled "Children of the Motherland and Indian Chivalry," which is included in the curriculum of high school and intermediate examinations contains some passages insulting to Islam and therefore calculated to wound the feelings of Muhammadans and to excite hatred between the Hindus and Muhammadans?

The Hon'ble Rai Rajeshwar Bali: Objection was taken to some passages in the book "Children of the Motherland" which was prescribed for high school examination. The book has been replaced by another for the examination of 1927.

URDU HISTORY OF INDIA BY ISWARI PRASAD.

* 46. **Raja Saiyid Ahmad Ali Khan Alvi:** Is the Government aware that the mode of writing adopted by Iswari Prasad in his Urdu "History of India," of which he is the author, and which is in the course of studies prescribed for Urdu schools, contains matter calculated to hurt the feelings of Muhammadans, inasmuch as there are some passages in the book describing Muhammadan kings as being generally freebooters and tyrants?

The Hon'ble Rai Rajeshwar Bali: No.

MUSLIM AND NON-MUSLIM PATWARIS AND QANUNGOS.

* 47. **Raja Saiyid Ahmad Ali Khan Alvi:** Will the Government be pleased to state the number of Muslim and non-Muslim patwaris and qanungos in the province of Oudh as well as in the province of Agra?

The Hon'ble Mr. S. P. O'Donnell: As regards patwaris and registrar qanungos figures are not available. There are 46 Muslim and 138 non-Muslim supervisor qanungos in the province of Oudh and 124 Muslim and 396 non-Muslim supervisor qanungos in the province of Agra.

NEW MEMBERS.

Babu Mohan Lal Saksena: I want to know as to in whose place have the honourable members who have been sworn in today been nominated?

The Hon'ble Mr. S. P. O'Donnell: In the place of certain other members who have resigned.

Mr. Mukandi Lal: Were they forced to resign or did they voluntarily resign?

Pandit Govind Ballabh Pant: Were their resignations published in the Gazette?

The Hon'ble Mr. S. P. O'Donnell : I understand that the appointments have been notified in the Gazette.

Pandit Govind Ballabh Pant : Were not notifications published in the Gazette when they were sworn in ?

The Hon'ble Mr. S. P. O'Donnell : Their appointments, I understand, have been notified in the Gazette.

THE UNITED PROVINCES STAMP (AMENDMENT) BILL, 1925.

The Hon'ble Mr. S. P. O'Donnell : I beg to introduce a Bill to extend the duration of the United Provinces Stamp (Amendment) Act, 1923, and to move that it be taken into consideration.

Sir, it is not necessary for me to describe or to discuss the details of the Act whose operation this Bill seeks to extend. The Act has been in force for two years and honourable members are familiar with its provisions. The question we have to consider today is not whether any changes should be made in these provisions, but whether it is necessary to extend the operation of the Act for another year. Now, Sir, the Council will remember that when I presented the budget I estimated that assuming that the Stamp Bill was passed, we should have a closing balance of fifteen lakhs sixty-three thousand. That closing balance was admitted to be dangerously low. Shortly afterwards we learnt that we were to receive a remission of our contribution of 56 lakhs. That meant that our receipts would be thirteen lakhs higher, and I then stated that we proposed slightly to increase the closing balance, bringing it up to twenty lakhs and to devote the remainder to new expenditure in the Transferred departments. That remainder includes the proceeds of this Bill. These proceeds are estimated to amount to seven lakhs, and therefore if the Bill is not accepted by the Council, the sum available for expenditure in the Transferred departments will be seven lakhs less. The issue therefore before the Council is a simple one: it is whether this Bill is to be passed or whether the expenditure on the Transferred departments is to be seven lakhs less than it would be if the Bill were passed. On that issue, Sir, there is really nothing that I can add to the information before the Council. The Council knows that there are many projects in the Transferred departments which have been held up for want of funds, and honourable members have themselves again and again emphasized the need for increased expenditure in these departments. We on our part are willing to do what we can to assist. We are willing to accept a closing balance which in my opinion leaves a very narrow margin of safety. Since our estimates were framed the situation has in one respect seriously deteriorated. The prospects of the *rabi* crops are no longer what they were. It is certain that the remissions and suspensions will be greater than we had originally anticipated, and it is unlikely that we shall realize as much as fifteen lakhs under land revenue above the revised. It is conceivable that there may be some slight improvement under irrigation, but taking all our receipts together the probability now is that they will be rather less and certainly not more than we had originally anticipated. The closing balance of twenty lakhs therefore leaves, as I have said, a very narrow margin of safety. Nevertheless, we are prepared to accept the risks in the desire to meet the Council in regard to the expenditure on these departments.

I am aware, Sir, of course that taxation can never be popular, but so far as this particular measure is concerned I think it can be confidently claimed that it will impose no hardship whatsoever. The enhancements made by the Stamp Act at present in force were in every case small—decidedly smaller than those which were imposed in the neighbouring provinces. They were so framed as to exempt the poorer classes, and during the two years that the Act has been in force we had not had a single protest from any section of the community.

Babu Sangam Lal : I rise to oppose the motion of the Hon'ble the Finance Member. He has said that if we throw out this Bill the Transferred departments will not get these seven lakhs, and that is why he has brought forward this motion. Now, Sir, let us examine the proposition whether the Transferred departments can get these seven lakhs without the extension of the operation of the Stamp Act. We were told that the Government would borrow 43 lakhs and that seven lakhs were expected as the proceeds of the Stamp Act. Now we know when we get a remission of 56 lakhs, and, as the Hon'ble the Finance Member himself has admitted, that leaves a balance of 13 lakhs. If we do not pass this Bill it will leave a balance of 6 lakhs which the Transferred departments can get. Now, Sir, he has forgotten another thing, and that is, that the Council has made a cut of more than 10 lakhs and even if it be taken for granted for the sake of argument that a part of this may be certified, even then it will leave a cut of more than 4 lakhs.

Now, Sir, before we got this remission the Hon'ble the Finance Member was content with a balance of 15 lakhs and now he wants more. Is there any justification for it? Last year we had the floods. Does he expect a flood again this year? When this question of remission came up before the Assembly an amendment was adopted by the Government itself that this remission will be used mainly for the Transferred departments. From the statement of the Hon'ble the Finance Member it appears that he does not propose to give even a pie of this to the Transferred departments, and he says unless you agree to extend this Bill for one year he will not give even 7 lakhs. Now, Sir, under these circumstances you would be going against the decision of that very body which is responsible for this remission. It is very unfair and unjust to the nation-building departments. Pandit Govind Ballabh Pant said in his speech on the budget that at least 30 lakhs should be set apart for the Transferred departments. I think we can do this very easily and yet leave a lot of money for the Government. I will illustrate what I mean. At present the Government proposes to borrow 43 lakhs. Before this remission, in the budget speech the Hon'ble the Finance Member said if he did not get a remission he would borrow 43 lakhs from the Government of India. Now, Sir, if out of this 56 lakhs 30 lakhs are given to the Transferred departments, it will leave a balance of 26 lakhs at his disposal. Add to this the 11 lakhs we have cut: that means 36 lakhs. Therefore if he borrows only 14 lakhs more he can give 30 lakhs to the Transferred departments as well as balance the budget. And there is nothing wrong in this, because after all you have been borrowing money from the Government of India on no principle. You have borrowed for police buildings as well as road construction, while you have not borrowed for the

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Council Chamber. I fail to see any difference between the two. Then there are exceptional reasons this year. It is not a normal year. Last year the province met the charges of the floods to the extent of about 60 lakhs out of its ordinary revenues. Now it is proposed to meet the balance out of the present revenues. We do not expect floods this year also, so if 14 lakhs are borrowed this year I think next year when we get another 56 lakhs from the Government of India this can be paid out of that and we shall have 42 lakhs for our purposes still. Then it might be said that the Transferred departments have no proposals for expenditure. Now there is Mr. Kichlu's report, and if the Minister exerts himself a little, then I think he can prepare a scheme for the introduction of compulsory education in rural areas, and I think he can arrange to spend this sum on that. On these grounds I oppose the motion.

Hafiz Hidayat Husain : I regret that I have to oppose this motion of the Hon'ble the Finance Member. In the Statement of Objects and Reasons for the extension of the Act it was stated by him that the Council would be asked to extend the provision of this Act on account of financial considerations. That is a very comprehensive term indeed. He was pleased to amplify this statement in the budget speech he delivered, in which he stated that this extension will be necessary because we have got to meet extraordinary expenses on account of one extraordinary cause—that is the floods. Now, Sir, since the Hon'ble the Finance Member made the statement the position has changed: the Government of India have come forward with a remission of 56 lakhs, and consequently it is no more necessary for this Government to borrow from the Government of India. If that position is accepted, a balance of 13 lakhs is left to us. The extension of the Stamp Act will bring us 7 lakhs, but if we do not allow the extension a balance of 6 lakhs is left to us. In the budget statement the Hon'ble the Finance Member stated that with the proceeds of the loan and the Stamp Act he would have a closing balance of 23,99, of which only 15 lakhs would be available for general purposes. Leaving these figures aside, if we add to the remission of 56 lakhs out of the value of about 12 lakhs that we have made in the budget for 1925-26, we easily reach to a figure which is enough to meet supplementary estimates and other unforeseen expenses. A bait has been held out that all this money will be earmarked for Transferred subjects and the development of nation-building departments. I hope this Council will not succumb to this bait. The proposition of taxing the people for no apparent gain in the nation-building departments is economically unsound. I was expecting to hear what were those programmes which were waiting and which would be consummated if we extended the provisions of the Stamp Act for another year. But none was forthcoming. I ask where is the guarantee that this Stamp Act will not be extended for another year next year? The Hon'ble the Finance Member has further stated that the extension of this Act for another year was not objectionable, as not one single complaint had come to the Government since it was enforced, that is to say, it has not operated harshly. I simply ask are there not other matters which have caused hardship, and what have you done to obviate them? For example, have not all the zamindars, both in and outside the Council

repeatedly asked for relief from the threatened settlement. Has Government done anything so far to remove the fear and are they going to do anything at all? If not, then whether Government had any complaint or had not, is besides the mark and it does not lie in the mouth of the Government to proclaim it. As a matter of fact, however, the position is not correct either. There are complaints; they may not have reached Government.

It is noteworthy that with the introduction of the Reforms these provinces got larger spending powers to the extent of Rs. 1,57 lakhs. Most of this was taken up by the increased expenditure consequent on the introduction of Reforms, and there is no knowing if we are going to escape further taxation. When this Act was introduced in 1923 it was stated by the Hon'ble the Finance Member that this money was required to meet the expenses connected with the separation of judicial from executive functions. Has it come? Now it is stated that this money is required for the Transferred subjects. I will, as things stand, simply let the Transferred subjects severely alone and have no further taxation and I do hope that the Council would not succumb to the bait that the money is required for transferred subjects.

With these words I strongly oppose the motion.

Khan Bahadur Maulvi Fasih-ud-din : It is with feelings of mingled pain and pleasure that I oppose this Bill—pain because I realize that the rejection of a Bill of this kind means the depletion of public funds by so many lakhs of rupees. We Indians have very often been blamed for having the natural tendency to oppose all taxation; and we are also blamed for caring more for the wishes of individuals than the broad principles of public policy. I have spent my life-time in public service and therefore I realize more than anyone else that taxation is a *sine qua non* for good government. It is a buttress for an enlightened and progressive administration; but I am sorry to say that in this particular case I cannot find myself able to support this particular measure, for the simple reason that it is both unnecessary and improper: unnecessary because we have very recently received a very substantial reduction in our provincial contribution, not to speak of the cuts that we have made in the Budget; and improper because I realize that this is the one tax which hits the poorer classes hard; it hits the impecunious and petty landlord and the impoverished tenant who has to borrow money; it also hits the people who want to endow their property for charitable and religious purposes and, above all others, it chiefly hits those who are engaged in trade and the promotion of industries. I was looking into a book this morning which I have been able to get hold of only yesterday, and I can prove from the figures contained in this book that this taxation directly depends on, and is entirely connected with, trade and industries. I find that the three chief provinces in India which take the lead in the matter of trade and industries are Bombay, Bengal, and Madras, and I find from calculation that the incidence of the revenue from stamps in Bombay is 13·5 annas per head of the population, that in Bengal it is 9·5 annas per head of the population in Madras it is 7·4 annas per head of the population this year. The figures very clearly show that the incidence of taxation in connection with stamps is highest in the provinces which take the lead in the matter of industries and trade and so on. Now, looking to the other provinces which are very much backward in connection with trade and industries, e. g.

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the Punjab and the Central Provinces, I find that the incidence per head of the population in these provinces ranges between six annas and five annas per head of the population. This fact clearly shows that this particular kind of taxation is connected directly with the expansion of trade and industries. For that reason I submit that this tax is improper.

The Hon'ble the Finance Member has very justly remarked, and I agree with him on this point, that there might be a decrease in the estimate on the revenue side. We see from year to year that the estimate of the revenue has been rather over-stated and so I agree that there may be some decrease in the estimate of the revenue. But I am sorry to see that he has not considered the fact that there may be a similar decrease on the expenditure side too. I find that last year we had raised objection to a good deal of money that was to be spent on the construction of Kotwalis at Agra and Bareilly. But that money was never spent and it was subsequently utilized for different purposes. For that reason, I submit if there is decrease in the estimate of revenue there will certainly be corresponding decrease in the estimate of expenditure also. For these reasons, I am sure this Hon'ble House will not allow this taxation Bill to be passed, especially because it hits the poorer classes and also because it cripples the expansion of industries and trade.

Maulvi Muhammad Obaid-ur-Rahman Khan : I stand to associate myself with the opposers of this taxation measure. I do this on the ground that the Hon'ble the Finance Member has not made any mention of the reductions which we have made in the budget. As far as I understand, there have been reductions to the extent of about 12 lakhs. There is only one reduction of Rs. 7,38,000 under the head "survey and settlement" about which we expect that it will not be restored this year as it was last year. If our expectations are right, then I think there is no necessity for the taxation which is now before this House. If our expectations are not fulfilled then I think the honourable House will find itself in a position to accept this taxation. If our wishes are not fulfilled why should we accept a taxation?

On the other side it has been said that this money will be given to the Transferred departments. I remember that more than once we have brought forward our greatest necessities but no attention has been paid to them by the Government. What about resolutions for the grant of Rs. 1,50,000 to the Muslim University and Rs. 1,20,000 to the Benares Hindu University, which were unanimously passed by this House recommending that this money should be given to these universities? We are still where we were at the time when we put forth our resolutions. So I think it is only for the sake of taking our consent that a reference is made to the allotment of the sum to be realized by this taxation, to the Transferred departments.

But our more important claims which are very essential in our eyes have not been fulfilled by the Government. For these reasons I oppose the proposed taxation.

Mr. Zahur Ahmad : Before I proceed with my remarks in connection with this Bill I would like to say a few words as to the remark of the Hon'ble Finance Member that this extension of the Stamp Act does not in any way affect the poor and during the last two years no

complaint of any sort was made. I have got two reliable authorities in no less persons than Rai Bahadur Thakur Mashal Singh and Rai Bahadur Thakur Hanuman Singh, who last year showed how this extension of the Stamp Act affected the poor. The Hon'ble Rai Bahadur Thakur Mashal Singh said :—" No doubt it is a burden on the poor tax-payers who are already heavily taxed. Certainly it will affect the poor people, but we cannot refuse the proposal of extending the period to another year." Rai Bahadur Thakur Hanuman Singh said :—" It is, no doubt, that this taxation will fall on the poor people." These are the remarks of two honourable members of this House who are aware of the conditions prevailing among the poor classes and who on the floor of the House, have given direct testimony that it will affect the poor and affect them very greatly. They have made complaints of this sort on the floor of the House. I think the Hon'ble the Finance Member will not require any further complaint to be made by any member or any one else in this connection. As to the fact that the money will be utilized for the transferred departments for important projects, I most humbly submit that if the fate of the important projects of the transferred departments is to be linked with fresh taxation and the important projects of the transferred departments have no claim on the general revenues of the country. I think it is really a bad day for the transferred departments to fulfil their hopes. As for new taxations to be imposed in these provinces, I most humbly submit that last year when the extension of this Stamp Act was brought before the Council not a word was said, that it will be used for the benefit of any projects of the transferred departments. It was said very definitely by the honourable member for Bulandshahr and by the honourable member for Meerut that if a guarantee was given that the canal rates would be reduced, they would be prepared to withdraw their objection. It was asked by me very definitely in what projects the Government were going to spend this money, but no satisfactory reply was given. Now this year it is said that the money will be utilized for the transferred departments, and it is really not said in what way, in what manner, and for what projects, but it is said that this new taxation is required for the benefit of the transferred departments. As I said before, it is not right for the transferred departments to make them dependent on new taxation for their effective existence. Now, Sir, when in March, 1924, this Bill was introduced it was said very definitely that its extension was wanted only for one year. The Hon'ble the Finance Member has been asking for the last two years for the extension of the Act for a year only. It means clearly that if the Act is allowed to be extended from year to year the measure eventually will become permanent one day. This year, in spite of the fact that we have got a remission of Rs. 56 lakhs from the Government of India and the Council has also made a cut of about Rs. 11 lakhs, we are asked again to extend the grinding tyranny of the Stamp Act. It has been said that it does not affect the poor people. I submit that it does. There are loans which the poor people take from their sahu-kars and zamindars and they have to execute an agreement on a bond of twelve annas instead of eight annas. It means an increase of 50 per cent. If the Hon'ble the Finance Member really wants to make this measure a permanent one, let him say so and the House can decide the matter once for all. It means nothing, but draining poor people. It amounts to sucking the tax-payer's blood slowly ? I hope, the House will not be deluded in

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the name of the transferred departments and will refuse to extend the tyranny of the Stamp Act for another year.

Nawab Muhammad Yusuf : I am sure that there is not a single member of this House who feels like seeing the Bill through, but I am bound to say that the issue before the House today is not that we should go ahead with this measure of taxation for another year or not. The question is—do you or do you not want to give seven lakhs to the transferred departments? Government has been able to balance its budget, and although a closing balance of Rs. 20 lakhs is a small figure, I think the Government can get along. The real question is whether you want or you do not want that these seven lakhs should go towards the nation-building departments. Further, do you or do you not accept the principle that you should finance the transferred departments by taxation? Only three courses are open to us. One is taxation, the other is economy, and the third is remission by the Government of India. So far as the remission by the Government of India is concerned, you will have to wait for a very long time. So far as the economies are concerned, we have effected economies to a large extent. There are avenues to be explored for further economies and these economies cannot be effected in the near future. So, if the House is not prepared for fresh taxation, it means progress being held up in the transferred departments. It is no use denying the fact that this will be the position. If you give the proposed seven lakhs, this will go a long way to help the nation-building departments.

It has been said that the Stamp Act affects the poor people. In this connection, I beg to submit, that the Select Committee so amended the Bill that it does exempt very poor people. Of course, it affects some poor people, but it does not affect the very poor people. Therefore, bearing in mind the fact that the Stamp Act does not affect the very poor people and also the fact that we have got to finance the transferred departments, I would ask the House to let this Statute remain for a year more.

Pandit Govind Ballabh Pant : I feel that the issue is being confused, and that is just the reason why I have ventured to come forward to make a few observations. While presenting the Financial Statement on 13th March the Hon'ble the Finance Member remarked :—" A year ago, even six months ago, it seemed unlikely in the extreme that this Act should be required for a third year." At the same time he made provision for a closing balance of Rs. 15,63,000, excluding the amount that was to be credited to the Famine Insurance Fund for the year after deducting the allotment that had been made for it. He added that but for the floods the income during the past year would have been greater than what was the actual outturn. He further said :—" It is true that in consequence partly of the proposals of the Lee Commission and partly of supplementary estimates presented in April or September last, there has been additional expenditure on objects not connected with the floods. Some of this was unavoidable, and the remainder was incurred on urgent projects and at a time when we had every reason to believe that it would be more than covered by increased receipts or reduced expenditure in other directions. As I shall show in a moment, but for the heavy rain at the end of September, our position, despite this

additional expenditure, would have been stronger at the close of the year than we had anticipated when the budget for the current year was framed". In the next paragraph the Hon'ble the Finance Member observed that the closing balance would therefore have been Rs. 135 lakhs or so instead of 73 lakhs. The observations made above amount to this: if it had been a normal year, the financial position at the close of the year 1924-25, even after meeting the additional expenditure of about ten lakhs incurred on account of the Lee Commission recommendations and the other expenditure that had to be incurred in connection with the supplementary estimates, would have been better than what had been anticipated by about twenty lakhs. Thus, had it been a normal year, the provinces would have been the gainer by about thirty lakhs. That is one of the important points I would request the House to bear in mind. Further, on March 13th, at the end of his statement, the Hon'ble the Finance Member said:—"The omens, so far as I can judge, seem to be more propitious than they have been in any preceding year," which meant that he did not think that the coming budget year would be an abnormally bad one, or else he would have said so in so many words. This is another point which I should like the Council to take note of. The third point is: Is the situation today the same that it was on the 13th of March, or have new forces come in which have considerably altered the old situation? Even assuming that the data of the Hon'ble the Finance Member are sound and correct, is it proper that a further financial responsibility should be thrown upon the tax-payer? Now, since the budget was introduced, we have been able to effect cuts to the extent of 12 lakhs. Further, as has been repeated so often we have received a remission of 56 lakhs of rupees from the Government of India: Sir, if the position had been just what it had been described to be on the 13th of March, even then it would not have been necessary to resort to this taxation in order to get a sum of seven lakhs for the transferred departments. The Hon'ble the Finance Member, as I have already submitted, budgeted for a closing balance of Rs. 15,63,000, including the Rs. 7 lakhs which the extension of the Stamp Act is expected to yield, or minus the seven lakhs, for a closing balance of Rs. 8,63,000. As the Council knows, we have effected cuts to the extent of about 12 lakhs, so that makes the closing balance of about Rs. 20,63,000. Therefore, on the Hon'ble the Finance Member's own calculations, there would be a sum of Rs. 5,00,000 available for the transferred departments. Then, he was pleased to announce in the course of the general discussion on the budget that he was not unhopeful, that the remission of this year might be followed by further remissions, until the contribution of the Local Government is totally wiped out. So, Sir, it is not the issue whether for spending Rs. 7 lakhs for the transferred departments, this financial measure should be adopted, but the issue is this. Whether this House should agree to get Rs. 7 lakhs and pass this financial measure in spite of the fact that the position today is better than it was on the 13th of March by about Rs. 68 lakhs, Rs. 56 lakhs by way of remission of the contribution and Rs. 12 lakhs on accounts of cuts made in the budget.

Mr. E. A. H. Blunt:—What about the Rs. 43 lakhs debt?

Pandit Govind Ballabh Pant: I am coming to that. I am assuming for the moment that the debt of Rs. 43,00,000 which the Government had agreed to take continues as it is, but there is absolutely no reason—it in a way indicates the mentality by which allotments are made

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for the transferred and reserved—departments, that while the Government is prepared to part with money to the tune of Rs. 15 lakhs for police buildings, so far as the transferred departments are concerned development should be made conditional and dependent on additional liabilities being imposed on the pockets of the tax-payer. Is it a sound principle that the nation-building departments should be starved until and unless the House agrees to impose further financial responsibility? While buildings costing lakhs for purposes of police chaukis and kotwalis should be erected out of loan and that too to the extent of Rs. 15 lakhs, I regard it a mere euphemism to say that this money is needed for transferred departments. If the Government has a real and genuine interest in the development of transferred departments, it can certainly go in for a loan for the purpose of transferred departments in the same manner as it got Rs. 15 lakhs for the purpose of building police buildings. Then, Sir the point that I wanted to lay particular stress on is this. When the Government of India made the remission of Rs. 56 lakhs, it, in the course of the discussion in the Assembly stated that this remission was being made with a view to assist the transferred departments. In fact they went beyond that and they said that the money was to be appropriated for the transferred departments. The rider was added to the original resolution. The Government seems to ignore this altogether and to act in contravention of this direction. Well, if I am wrong in interpreting then I want to know what is meant by this, that only Rs. 7 lakhs will be spent over the transferred departments only if we pass this financial measure which is expected to yield Rs. 7 lakhs. Is the Government going to spend 56 lakhs plus 7 lakhs over the transferred departments, if this Bill is passed? If so, I for one am prepared to accept the Bill. But if the Government says that if you pass this Bill we will give you 7 lakhs, but we will not appropriate anything for the transferred departments out of the remission obtained from the Government of India, I say that it is very unfair, it is very unjust, and nobody in the House should be taken in by such an illusive bait. The position, as I submitted, would have been very clear. So far as the expenditure of Rs. 7 lakhs is concerned even if the Government contrary to Government of India's instructions, had cared to pay off the debt of Rs. 43 lakhs it would still be able to give Rs. 25 lakhs to the transferred departments if it did not raise its limit of closing balance. But the Government wants to do everything arbitrarily. In spite of the resolution passed in the Assembly it wants firstly to pay up 43 lakhs, then to raise the closing balance to 20 lakhs, and even out of the balance it does not want to give anything to the Ministers.

The position is very simple and I ask the House to consider whether it is fair that, while a remission of Rs. 56 lakhs has been received and as honourable members are aware it is a recurring remission and not only a remission for this year, the House should further encumber the tax-payer with another measure and should agree to get in exchange only 7 lakhs for the transferred departments. Is it fair, is it proper, is it reasonable? Then Sir, a point has been raised by Nawab Muhammad Yusuf Sahib that there is no further room for economy. There I join issue with him.

Nawab Muhammad Yusuf: I did not say that. What I said was that there was no prospect of any economy in the near future.

Pandit Nanak Chand : Because the Government do not want to make any economy.

Pandit Govind Ballabh Pant : Well, I am prepared always to be corrected in respect of the statements made by other speakers and I receive the correction very gladly, but even so, is it right and proper for this House to accept that ? In spite of the fact that more than three years have elapsed since this House resolved that the number of Commissioners should be reduced, no reduction will be made this year. Is it right and proper to accept that, In spite of the fact certain posts in the Public Works department have been recommended to be abolished, they will be continued further and further and that no further economy will be made. Is it right and proper for this House to expect that there will be no scrutiny by the various departments of the Public Works department and other budgets which had considerable scope for economy, simply because no cuts have been made by the House ? Is it right and proper for this House to expect that even in the transferred departments the Hon'ble Ministers will not look into their estimates again and that if they cannot make further re-adjustments of expenditure, they should not get a larger value for the money that has been placed at their disposal ? The House has certainly sanctioned the budget in the hope and in the confidence that they would re-examine the items and wherever they find that a diversion of funds should be made to a more useful purpose they would do it.

Then there is only one word in the end and that I would urge with some earnestness. It is not proper to let money be wasted and to let money be misapplied when you have got it and it is absolutely necessary that the House should make it a point that the spirit of expenditure does not rise to such a point that money instead of being expended on useful purposes is wasted over things which are absolutely useless. If there had not been those windfalls in 1919 and 1920 which did really take place, we would not have been in a financial wilderness for the last three or four years. Similarly, I say it is time for you to remember and see that this sum of Rs. 56 lakhs that you are getting is not diverted from you for good, but the House should insist that every pie of this is allotted to the transferred departments. For Heaven's sake do not be led away by this cry of this paltry drop of seven lakhs.

Rai Bahadur Thakur Mashal Singh : I rise to make a few observations in connection with the discussion of the motion which has been moved by the Hon'ble the Finance Member. My friend Nawab Muhammad Yusuf has said that it is a simple question as to whether the House desires to give seven lakhs to the transferred departments or not. So far as we non-official members are concerned, we are always in favour of giving money to the transferred departments, but the way in which this money is being asked is, I think, not fair. One of the two or three ways by which the Nawab Sahib has suggested we can raise money is economy. I can say that economies have not been so fully made by the Government as were recommended by the Retrenchment Committee. Just as has been pointed out by the leader of the opposition, the posts of five commissioners which were recommended unanimously for abolition by the Fremantle Committee have not been abolished. Then the post of the deputy inspector-general of police which was recommended to be abolished has not been abolished. As to taxation this Stamp Act and the

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Court Fees Act were passed in the very first year when there was stringency of funds. It was on the distinct assurance that these taxes will not be continued one day more than it was absolutely necessary. When we came in smooth waters, the Court Fees Bill was dispensed with. The Stamp Act was extended for one year more on the distinct understanding that the Motor Vehicles Act and the Amusements Act will also be enforced. We were assured that together with the Stamp Bill last year the Motor Bill would also be passed and the Amusements Bill would also be passed. But when the Motor Bill was introduced, I am sorry to say, that most of the non-official members who owned motor-cars voted against it, and it is more regrettable and more shameful that the members who occupy the Government benches voted against that Bill. It was introduced by Government and yet votes were recorded by the officials against the Bill. How was it?

The Hon'ble Mr. S. P. O'Donnell: The honourable member is entirely mistaken. The official members voted for the Bill.

Rai Bahadur Thakur Mashal Singh: If I be wrong, I beg your pardon, but I fully remember that there was a jubilant attitude on the official side when that Bill was dropped. The Amusements Bill was purposely not introduced by the Hon'ble the Finance Member last year. Why was it not introduced? It ought to have been introduced and if it had been defeated, we would have been content. When any tax touches the pockets of the rich and the officials, there the Government yields; but when any tax touches the poor, then it is said that no complaint has been made by the poor. Well, how can poor people bring complaints before you? Debtors always purchase a stamp to execute a bond or mortgage deed or something like that. When they are going to borrow, say, five thousand rupees, they will not mind if they have to pay Rs. 5 or Rs. 7 for this stamp. They are sunk in debt and they will not mind paying two or three rupees more, but as a matter of fact, they know and we know where the shoe pinches. This year, we all know, floods have devastated a large part of this province and the zamindars and tenants will out of necessity be driven to borrow money and they will have to spend more in stamps than in the past years. I think it will be a relief to them if we do not pass this Bill this year because in past years when our constituents complained to us that we had taxed them more, we tried to explain to them the financial situation and asked them to excuse us, but this year we shall not be forgiven by our constituents. I say that these seven lakhs ought to be given by Government from general revenues. It is not very necessary that we should tax the poor in order that seven lakhs be given to the transferred departments. Well, so far as I can understand, it is quite fair that this extension for one year should not be given this time.

Chaudhri Sheoraj Singh: I whole-heartedly associate myself with the previous speakers who have opposed this Bill. I do so on the ground that the increase which has been made three years ago affects the poor classes. When a person borrows money it is he who is affected by the increased duty and not the money-lender. Those who want to sell their property or to make a gift of it for charitable and religious purposes are also affected by it. It also hits trade, and in the case

of *hundis* it is also effective. I admit that the financial position of the province is not very satisfactory and we have been having a deficit budget every year, but when the Government has got a remission of Rs. 56 lakhs there is absolutely no reason why this Bill should be passed. Last year we allowed this tax on the distinct understanding that the Government was going to reduce the canal rates, but Government failed to comply with our legitimate demand and a very small reduction was made in the case of sugarcane only. With these few words, I oppose the Bill.

Lala Mathura Prasad Mehrotra : I rise to oppose the Stamp Bill. My chief reason is that the Hon'ble the Finance Member has not made the position very clear and the Hon'ble Ministers have not come forward yet to say as to what amount they will receive if this Bill be passed by this House and for what schemes.

The Hon'ble Lieutenant Nawab Muhammad Ahmad Sa'id Khan : Seven lakhs.

Lala Mathura Prasad Mehrotra : One Hon'ble Minister says that he will receive seven lakhs. I submit, Sir, that I can prove by the facts and figures that are before us that they can have twelve lakhs without the passage of this Bill. The situation in which we stand now is this, that there was a deficit of Rs. 43 lakhs, the money that we are going to borrow from the Government of India. Well, we have received a remission of Rs. 56 lakhs in the provincial contribution. If we deduct those Rs. 43 lakhs, there remain thirteen lakhs and the reductions that we have made in the budget amount to about Rs. 12,95,000. If we add this Rs. 12,95,000 to these thirteen lakhs, the total comes to about Rs. 25,95,000. On the other hand, if this Bill be passed, the Government will have a closing balance of Rs. 15,63,000 as was announced by the Hon'ble the Finance Member in the course of the presentation of the budget. I deduct this seven lakhs that we could gain by the Stamp Act and then the closing balance remains at Rs. 8,63,000. This sum of Rs. 8,63,000 added to Rs. 25,95,000 comes to Rs. 34,58,000. This is the actual saving after the budget we have passed. Now the Hon'ble the Finance Member wants a closing balance of 20 lakhs. Granting it and giving him a closing balance of 20 lakhs there still remains a net balance of Rs. 14,58,000 and this amount can be very well utilized by the transferred departments. So, Sir, our position is this, that without this Stamp Bill we have in hand a sum of Rs. 14,85,000 even after allowing for a closing balance of 20 lakhs as just suggested by the Hon'ble the Finance Member. The money that is wanted by the transferred departments, I understand, is only 11 lakhs and half. (Voices of "How do you know?") I understand it from reliable sources. If this sum is deducted from Rs. 14,58,000 there will be still a saving of Rs. 3,00,000 and odd for supplementary estimates. So, Sir, the position is very hopeful, and there is no need of allowing this Stamp Bill for one year more. We have already extended it from year to year since 1923 and if our position would not have been so good there would have been no objection to allow it for a year longer. Now, Sir, the question comes in how it affects and whom it affects. It has been said that it does not affect the poor. It may not affect the very poor as has been suggested by an honourable member because there is no increase below the sums of Rs. 200, but it will affect very seriously middle class people and it is they who are living from hand to mouth. Poor classes have very little chance to borrow

[Lala Mathura Prasad Mehrotra.]

money, as nobody is prepared to advance them big sums. They have to go to earn their livelihood and spend it daily upon themselves. It is the middle class, the clerks and the poor shopkeepers, that do require to borrow money every day, and it affects them very seriously, as the duty is increased over the sums of Rs. 200. As the extension of the Stamp Act has not been fully justified by the Government, I oppose the Bill.

Lieut. Raja Durga Narayan Singh : I whole-heartedly support the views expressed by Rai Bahadur Thakur Mashal Singh. This point is being fully discussed in this House at present moment and in the year past as well and there is not much left for us to say in favour of this motion. I can say before this House that it is not the rich class but the middle and poor classes who have to suffer on account of this Act; even the Hon'ble Ministers who are occupying the Government benches they are fortunately zamindars and they must be receiving the same sort of complaints as we do in our constituency and I hope the two Hon'ble Ministers who are occupying the Government benches will certainly vote in favour of the motion. As they are occupying the Government benches I do not think they will, at any rate, associate with us in our voting.

Mr. Mukandi Lal : In 1923 one of them voted with us.

Lieut. Raja Durga Narayan Singh : I am glad to know that, but their position has changed now.

There are persons, as was remarked by Rai Bahadur Thakur Mashal Singh, who will have to borrow money on account of the floods and the result will be that a large amount of money will be spent on these stamps for no purpose. I hope the Council will take a sensible view and will not allow this motion passed.

Raja Bahadur Brij Narayan Rai spoke in Urdu.

Rai Bahadur Thakur Hanuman Singh : This morning when I came here I was thinking whether to support the extension of the Stamp Act or to oppose it. After hearing a good many speeches of my colleagues in this Council I have decided that the Bill should be opposed by the Council on very strong grounds. In the first place, Sir, I do not agree with the Hon'ble the Finance Member when he says that no complaints have been made to the effect that the enhanced stamp duty has created any hardship on the people. Well, all those who are affected by such taxation do not know how to send their complaints to the Government and to those who are in a position to listen to those complaints. This is a great difficulty. We are not yet accustomed to the Western ways of carrying our grievances to the authorities.

Then, Sir, it is the hard lot of the masses that the Government cannot save much to provide for their wants in regards sanitation, medical relief, education—I mean primary education—and a good many other things which concern their uplift and regeneration. Government should do justice to them and save something substantial out of the ordinary revenues which it has a right to get from the people and which it is the people's business to pay.

Taking the figures into account, before the remission the Government wanted to borrow Rs. 43 lakhs to meet the deficit. Now there is a

remission of Rs. 56 lakhs out of our contribution to the Government of India. If amount of Rs. 43 lakhs is deducted from Rs. 56 lakhs there will be a balance of—

The Hon'ble the President : The honourable member should try to avoid repetition of the arguments that have already been used.

Rai Bahadur Thakur Hanuman Singh : I am not going to that ; I shall be very brief.

It leaves a balance of Rs. 13 lakhs. After giving Rs. 5 lakhs more to the Government for making the closing balance Rs. 20 lakhs, there will be Rs. 8 lakhs. Then taking the cuts into account, the Government ought to have saved at least Rs. 14 lakhs to be spent on the transferred departments. As my honourable friend Pandit Govind Ballabh Pant has said, the Government of India thought that the amount which they were remitting to the provinces would be spent on the transferred departments. But I find that our Government instead of spending a very large portion of that amount on the transferred departments, comes to this Council and says that unless it taxes the people we can have no amount over and above that which has already been passed by this Council to be spent on the transferred departments. We who are the representatives of the people in this House cannot be satisfied with this state of affairs ; nor those whom we represent can be satisfied with the attitude of the Government. The Government should be more considerate to the masses who are in want of a good many things which they cannot get unless the Government takes up a very liberal and generous attitude towards them.

The Hon'ble Mr S. P. O'Donnell : A number of honourable members have referred to the reductions in expenditure made during the course of the last fortnight. The budget was passed only last Saturday, and it has been impossible for us to examine fully the situation created by these reductions. The reductions affect more than one department, and we have not had time to review, as we must do, the circumstances in each department. We see no difficulty in increasing the provision originally contemplated (by means of supplementary estimates) for the transferred departments by nearly Rs. 3 lakhs. Whether further additions can be made is a matter which must be left over for future consideration. We cannot at present and without further examination say whether any further addition can be made to the supplementary estimates. If later more money is found to be available it will be a simple matter to introduce new supplementary estimates. We are told by the honourable member for Naini Tal that there is every reason to believe that our collections of revenue will be far larger than we have estimated. He referred to a statement which I made in presenting the budget in which I said that but for the floods our position at the close of the year 1924-25 would have been substantially better than had been anticipated when the budget for 1924-25 was framed. On the basis of that statement he infers that our revenue collection during the coming year must be much higher than we have anticipated. I am entirely unable to follow this reasoning. I am unable to see what relevancy the statement to which he refers has to the collections of revenue in the coming year. I can only assure him and the Council that we have framed our estimates of revenue with the greatest care and that so far from it being probable that our anticipations will be exceeded, the odds

[The Hon'ble Mr. S. P. O'Donnell.]

are that we shall realize less than we had originally estimated, because in the interval the situation has deteriorated.

We were told by Mr. Sangam Lal that we ought to borrow more money from the Government of India. It seems to me that on this point our critics are not altogether consistent or agreed among themselves. We were criticized during the general discussion on the ground that we have borrowed too much. We are now told that we have borrowed too little. I do not agree with either set of critics. I do not think our borrowings are excessive. On the other hand, I do not think that we should increase them beyond what is required. We have received from the Government of India a remission of Rs. 56,00,000 and I made it quite clear in presenting the budget, that we did not propose, if we received a remission, to borrow Rs. 43,00,000 from the Government of India. I think it would be entirely wrong, having received this remission, to borrow money simply to cover a revenue deficit. Nor, do I suppose that any application for a further loan will be favourably received by the Government of India.

Then, Sir, it is said that we have borrowed money for police buildings, whereas we have provided nothing for the transferred departments and we have borrowed nothing on their account. It is true, that we have borrowed Rs. 15,00,000 for the police buildings. For years we have been providing insignificant and utterly inadequate sums for the repairs of police buildings. We have allowed the men to live in buildings that are unsuitable, sometimes almost hovels, sometimes even dangerous. We came to the conclusion that this state of affairs could not be allowed to continue and that an effort should be made this year to repair or to replace the worst buildings. But it is not true that we have not borrowed for the transferred departments. We borrowed twice that amount for roads alone, which belong to a transferred department. We have provided nearly Rs. 80,00,000 for capital expenditure in these departments. Then, Sir, I am referred to the rider added by the Assembly when it agreed to the remission. It was alleged by some honourable members that the Assembly did so on the understanding that this Province, having received Rs. 56 lakhs remission, would immediately increase expenditure on the transferred departments by 56 lakhs of rupees. I cannot agree with that interpretation. I cannot do so because I cannot suppose that the Assembly or the Government of India intended to lay down a condition that was impossible. We were faced in this Province with a deficit of Rs. 43 lakhs and our first business was to wipe out that deficit. Having done so, it should be, and it has been, our endeavour to provide as much money as is possible for the transferred departments. We had already provided in the budget over Rs. 15 lakhs for new expenditure apart from capital expenditure, and if this Bill is carried we propose to introduce supplementary estimates of just about Rs. 12 lakhs making a total of Rs. 27 lakhs. Mr. Sangam Lal has said that I was content with a closing balance of 15.63 lakhs. If he will refer to the financial statement I think he will see that I was very far from content with this balance. I was criticized by the honourable member for Bulandshahr, who does not usually see eye to eye with me, on the ground that the balance was far too low and that it should be at least 25 lakhs of rupees.

It has been said that this measure will affect the poorer classes. I can only suppose that the honourable members who take that view have not studied the provisions of the Stamp Act. This point was examined most carefully by the Select Committee. The Select Committee exempted every document which in their opinion concerned the poor classes and when the measure came before the Council further exemptions were made. I do not believe that there is a single document affecting the poor classes.

Lastly, Sir, it has been said that our object is to make this measure a permanent one. I do not conceal from the Council my belief that if we were to pass a permanent measure, as other provinces have done, the interests of this Province would not suffer, but it has never been our intention that the operation of the Act should be prolonged for a day longer than was necessary. Seven months ago it seemed in the highest degree improbable that we should have to ask for its extension for another year. If we have now done so, it has been because on the one hand a calamity beyond our control overtook us and on the other because we wish to help those departments in which honourable members are particularly interested.

The motion was put and the Council divided as below :—

Noes (53).

Raja Bahadur Brij Narayan Rai.	Pandit Yajna Narayan Upadhyay.
Babu Narayan Prasad Arora.	Rai Bahadur Thakur Hanuman Singh.
Babu Sangam Lal.	Bhaya Hanumat Prasad Singh.
Babu Mohan Lal Saksena.	Pandit Baijnath Misra.
Babu Damodar Das.	Pandit Govind Ballabh Pant.
Babu Jai Narayan Chaudhri.	Pandit Hargovind Pant.
Babu Bhagwati Sahai Sedar.	Mr. Mukandi Lal.
Thakur Manjit Singh Rathor.	Babu Ram Chandra Sinha.
2nd-Lieut. Chaudhri Balwant Singh.	Kunwar Rajendra Singh.
Rai Jagdish Prasad Sahib.	Rai Bahadur Thakur Mashal Singh.
Chaudhri Jaswant Singh.	Babu Sita Ram.
Chaudhri Sheoraj Singh.	Mr. Zahur Ahmad.
Pandit Nanak Chand.	Dr. Muhammad Naim Ansari.
Lala Babu Lal.	Mr. Muhammad Aslam Saifi.
Thakur Rajkumar Singh	Maulvi Zahur-ud-din.
Rai Bahadur Pandit Kharagjit Misra.	Rao Abdul Hamid Khan.
Lala Dhakan Lal.	Khan Bahadur Chaudhri Amir Hasan Khan.
Babu Nemi Saran.	Maulvi Muhammad Obaid-ur-Rahman Khan.
Chaudhri Badan Singh.	Hafiz Hidayat Husain.
Thakur Sadho Singh.	Khan Bahadur Shaikh Masud-uz-Zaman.
Pandit Brijmandan Prasad Misra.	Saiyid Muhammad Ashiq Husain.
Pandit Bhagwat Narayan Bhargava.	Khan Bahadur Maulvi Masih-ud-din.
Pandit Jhanni Lal Pande	Khan Bahadur Munshi Siddiq Ahmad.
Lieut. Raja Durga Narayan Singh.	Khan Bahadur Chaudhri Muhammad Rashid-ud-din Ashraf.
Lieut. Raja Bahadur Sukm Tej Pratap Singh.	Lala Muthura Prasad Mehrotra.
Pandit Sri Krishna Dutt Paliwal.	Raja Jagannath Bakhsh Singh.
Babu Parsidh Narayan Anad,	

Ayes (22).

The Hon'ble Mr. S. F. O'Donnell.	Mr. J. R. W. Bennett.
The Hon'ble Raja Sir Muhammad Ali Muhammad Khan, Khan Bahadur.	Mr. S. H. Fremantle.
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.	Mr. Burn.
The Hon'ble Rai Rajeshwar Bali.	Mr. B. J. K. Hallowes.
Mr. C. L. Alexander.	Mr. C. M. King.
Mr. E. A. H. Blunt.	Mr. F. F. B. Channer.
Kunwar Jagdish Prasad.	Mr. A. D. Ashdown.
Mr. G. B. F. Muir.	Colonel A. W. R. Cochrane.
Mr. A. C. Verrières.	Mr. A. H. Mackenzie.
Mr. C. E. D. Peters.	Mr. G. Clarke.
	Mr. H. David.
	Mr. St. George H. S. Jackson.

Motion negatived.

THE NORTHERN INDIA CANAL AND DRAINAGE (AMENDMENT) BILL.

The Hon'ble Mr. S. P. O'Donnell : I beg to introduce a Bill further to amend the Northern India Canal and Drainage Act, 1873, in its application to the United Provinces and move that it be referred to a Select Committee composed as follows :—

- (1) Mr. S. H. Fremantle, C.S.I., C.I.E., I.C.S.
- (2) Maulvi Muhammad Obaid-ur-Rahman Khan.
- (3) Khan Bahadur Maulvi Fasih-ud-din.
- (4) Chaudhri Sheoraj Singh.
- (5) Mr. Mukandi Lal.
- (6) Mr. Muhammad Aslam Saifi.
- (7) Pandit Nanak Chand.
- (8) Pandit Jhann Lal Pande.
- (9) The Legal Remembrancer to Government.

The Council will remember that in February, 1923, a resolution was moved recommending that legislation should be introduced with a view to requiring the previous approval of the Council to a revision of the irrigation rates. For reasons which I need not enter into now the Government were unable to accept the suggestion that any increase in the rates which it was proposed to make should be laid before the Council in the form of a resolution. We accepted, however, the principle that the regulation of these rates should be brought within the purview of the legislature and subsequently a committee was appointed with instructions to examine in what way this could best be effected. The committee made a careful and thorough examination of this question. They rejected the suggestion that the rates should be simply inserted as a schedule to the Act. They thought that this suggestion was open to the objection that any change in a long list of rates which vary not only for different crops but also for different canal systems would require an amending Act, and they thought that the legislature was not a suitable body for the discussion and decision of details of this nature. The alternative was to lay down in the Act a definite principle for the regulation of these rates and that was the method which the committee recommended. In the past revisions of rates have been generally based upon changes in prices and the committee considered that no more suitable method could be devised. From time to time alternative methods have been suggested, as, for example, that changes in the rates should be based either on rents or on net profits. The committee found that there were insuperable difficulties in the way of basing rates on rents. They also thought that these difficulties applied almost to the same extent to basing changes on net profits, and further they considered that net profits would vary chiefly according to prices. They examined carefully the movement of prices during past years and they came to the conclusion that the crop rates at present in force corresponded to the prices which ruled between the years 1911 and 1915. They proposed accordingly that if after these rates had been in force for a quinquennium the average price during the quinquennium of any class of crops was found to differ more than 12½ per cent from the average price in the quinquennium 1911-15, the rates should be readjusted. If the difference was more than 12½ per cent.

but less than 25 per cent. the increase or decrease would be $12\frac{1}{2}$ per cent. or two annas in the rupee; if over 25 per cent. and less than $37\frac{1}{2}$ per cent. it would be four annas in the rupee, and so on. The Bill is designed to give effect to these proposals which appear to us to provide as good a method of determining the rates as can be devised. It will be seen that the Bill does not apply to the Rohilkhand and Dehra Dun canals and the Sarda canal. The Sarda canal will not be running for some years and we are not in a position to say what the rates on that canal should be. On the Rohilkhand and Dun canals the rates are much below those charged on the four major systems and for the present we do not propose any change. But it is intended to increase the supply of water to these canals very substantially, and we shall then have to consider what the final rates on these canals should be.

Khan Bahadur Shaikh Masud-uz-Zaman: I welcome this Bill, because it is likely to meet the long-cherished desire of the people. The canal rates are so very different all over the province that it is necessary to regulate them, and it is with this object that a committee is going to be appointed. I hope when it goes into the question of fixing rates, it will take into consideration the produce of the land. It has been seen that certain crops grow abundantly in an irrigated land, while others do not. For example, wheat and oil-seed grow less in quantity in an irrigated land. With these observations I commend the Bill to the acceptance of the Council.

Rai Bahadur Thakur Mashal Singh: I cannot say anything about the merits or demerits of the Bill, which has just been introduced, but I have grave doubts as to whether the object of the resolution, which was moved in February, 1925, will be achieved by it. However, I am of opinion, that the Bill be allowed to go to the Select Committee, and I move that to the names of the members of the Select Committee the following two names be added, namely:—

(10) Rai Bahadur Lala Sita Ram.

(11) Rai Sahib Lala Jagdish Prasad.

Pandit Nanak Chand: I second the amendment.

Nawab Muhammad Yusuf: I would further propose the name of Rao Abdul Hamid Khan Sahib as a member of the Select Committee.

Lala Babu Lal: I second the proposal.

The motions that the names of Rai Bahadur Lala Sita Ram, Rai Sahib Lala Jagdish Prasad, and Rao Abdul Hamid Khan Sahib be added to the names of the members of the Select Committee was put to the Council and agreed to.

The motion as amended, was then put to the Council, and agreed to.

The Council was then adjourned to the following day.

LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

Tuesday, 31st March, 1925.

THE Council met in the Council Chamber, Lucknow, at 11 a.m.
The Hon'ble the President in the Chair.

PRESENT :

The Hon'ble Mr. S. P. O'Donnell.	Pandit Brijnandan Prasad Misra.
The Hon'ble Raja Sir Muhammad Ali Muhammad Khan, Khan Bahadur.	Pandit Bhagwat Narayan Bhargava.
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.	Pandit Jhanni Lal Pande.
The Hon'ble Rai Rajeshwar Bali.	Thakur Keshava Chandra Singh Chaudhri.
Mr. G. L. Alexander.	Lieut. Raja Durga Narayan Singh.
Mr. E. A. H. Blunt.	Lieut. Raja Bahadur Hukm Tej Pratap Singh.
Kunwar Jagdish Prasad.	Pandit Sri Krishna Dutt Paliwal.
Mr. G. B. F. Muir.	Babu Parsidh Narayan Anand.
Mr. A. C. Verrières.	Pandit Rajna Narayan Upadhyaya.
Mr. C. E. D. Peters.	Rai Bahadur Thakur Hanuman Singh.
Mr. J. R. W. Bennett.	Bhaya Hanumat Prasad Singh.
Mr. S. H. Fremantle.	Pandit Baijuath Misra.
Mr. R. Burn.	Pandit Govind Ballabh Pant.
Mr. B. J. K. Hallows.	Pandit Hargovind Pant.
Mr. C. M. King.	Mr. Mukandi Lal.
Mr. F. F. R. Channer.	Babu Ram Chandra Sinha.
Mr. A. D. Ashdown.	Kunwar Rajendra Singh.
Colonel A. W. R. Cochrane.	Rai Bahadur Thakur Mashal Singh.
Mr. A. H. Mackenzie.	Babu Sita Ram.
Mr. G. Clarke.	Kunwar Surendra Pratap Sahi.
Raja Bahadur Brij Narayan Rai.	Rai Bahadur Babu Shankar Dayal.
Mr. H. David.	Mr. Zahur Ahmad.
Babu Narayan Prasad Arora.	Mr. Muhammad Aslam Saifi.
Babu Sangam Lal.	Maulvi Zahur-ud-din.
Babu Mohan Lal Saksena.	Rao Abdul Hamid Khan.
Babu Damodar Das.	Khan Bahadur Chaudhri Amir Hasan Khan.
Babu Jai Narayan Chaudhri.	Maulvi Muhammad Obaid-ur-Rahman Khan.
Babu Bhagwati Sahai Bedar.	Dr. Zia-ud-din Ahmad.
Thakur Manjit Singh Rathor.	Hafiz Hidayat Husain.
2nd-Lieut. Chaudhri Balwant Singh.	Khan Bahadur Shaikh Masud-uz-Zaman.
Rai Jagdish Prasad Sahib.	Nawab Muhammad Yusuf.
Chaudhri Jaswant Singh.	Dr. Shafa'at Ahmad Khan.
Chaudhri Sheoraj Singh.	Saiyid Muhammad Ashiq Husain.
Pandit Nanak Chand.	Khan Bahadur Maulvi Fasih-ud-din.
Lala Babu Lal.	Khan Bahadur Maulvi Muhammad Fazl-ur-Rahman Khan.
Thakur Rajkumar Singh.	Khan Bahadur Hakim Mahbub Ali Khan.
Thakur Shit Narayan Singh.	Mr. Ashiq Husain Mirza.
Rai Bahadur Babu Ram Nath Bhargava.	Khan Bahadur Munshi Siddiq Ahmad.
Rai Bahadur Pandit Kharagjit Misra.	Khan Bahadur Chaudhri Mohammad Rashid-ud-din Ashraf.
Lala Dhakan Lal.	Lala Mathura Prasad Mehrotra.
Babu Nemi Saran.	Lieut. Raja Shaikh Imtiaz Rasul Khan.
Chaudhri Eadan Singh.	Raja Jagannath Bakhsh Singh.
Thakur Sadho Singh.	

QUESTIONS AND ANSWERS.

UNSTARRED QUESTIONS.

NEW APPOINTMENTS OF SUBORDINATE JUDGES.

1. **Rai Bahadur Pandit Kharagjit Misra :** How many sub-judges were added to the cadre in 1924-25 and where have they been posted?

Mr. C. L. Alexander : In Agra five and in Oudh five. The former are all movable courts and three of the latter. At the same time 22 munsifs were added to the cadre in Agra and five in Oudh.

CIRCUMSTANCES AND PROPERTY TAX IN MAINPURI.

2. **Rai Bahadur Pandit Kharagjit Misra :** Has the Government received any representation to permit the abolition of the tax on circumstances and property in the Mainpuri municipality and to introduce indirect taxation in its stead? If so, what action has the Government taken?

Mr. G. B. F. Muir : (a) Yes.

(b) The possibility of terminal taxation was examined. The probable yield was found to be too low. The municipal board then proposed the imposition of octroi, and has been asked to state its use more fully.

OCTROI IN MAINPURI MUNICIPALITY.

3. **Rai Bahadur Pandit Kharagjit Misra :** Has the Government any objection to allow the substitution of octroi in place of the circumstances tax in Mainpuri municipality, as has been already permitted in similar municipalities in the same division?

Mr. G. B. F. Muir : As has been explained in the previous answer, the Government are not yet in possession of a full statement of the case.

LANE TANK IN MAINPURI.

4. **Rai Bahadur Pandit Kharagjit Misra :** When was the Lane tank in Mainpuri constructed and at whose cost?

5. Has the Government sanctioned its demolition?

6. Who is going to appropriate the materials, stones, etc., and under what right?

7. What is the approximate cost of those materials?

Mr. G. B. F. Muir : Inquiry is being made and the information is not yet available.

USAR LAND IN MAINPURI.

8. **Rai Bahadur Pandit Kharagjit Misra :** Is the Government aware that there are large tracts of *usar* (barren land) in Mainpuri district?

Kunwar Jagdish Prasad : Yes.

9. Rai Bahadur Pandit Kharagjit Misra: Will the Government be pleased to state if it has made any experiment to see if the land can be reclaimed?

Kunwar Jagdish Prasad: Frequent experiments have been made with a view to reclaiming *usar* land. No method, however, has been determined of making the cultivation of such land remunerative.

NOTICE OF MOTION FOR ADJOURNMENT.

The Hon'ble the President: A notice has been handed to me by the honourable member for Allahabad, Babu Sangam Lal, according to which he proposes to ask for leave to move the adjournment of the House today. The argument is rather long and involved, but I will read it to the Council. He says:—"I crave your permission to move for the adjournment of the House to discuss the policy of the Government in utilizing the remission of 56 lakhs of rupees in the provincial contribution granted by the Government of India with the sanction of the Legislative Assembly, which stipulated that the remission would be used mainly for the benefit of the transferred departments." I have no remembrance of that stipulation, nor do I know if it is a fact.

"It is hardly necessary for me," the honourable member goes on, "to point out that this matter is of recent occurrence. When the Assembly decided this question finally, there was no time to table a non-official resolution on this subject." (That too is a point about which I should like to know more definitely)—"nor was there an opportunity to raise a discussion on it during the budget debate." There I am genuinely surprised. "It is a matter of urgent public importance, as the next financial year begins from tomorrow and the diversion of this large amount from its legitimate purpose would seriously affect the efficiency of the nation-building departments. The matter has become very urgent on account of certain casual remarks made by the Hon'ble the Finance Member in his reply on the Stamp Bill debate regarding the utilization of this large sum which was incidentally referred to by some members. It appears that the reserved side of the Government has decided to appropriate the whole amount to itself, which is absolutely unfair and unjust to the transferred side of the Government and violates the condition on which the remission has been granted by the Government of India and the Legislative Assembly."

I am not concerned, as the honourable members know, with the validity of the arguments used in this statement, but what I am concerned with is the carrying out of the intention of the rules relating to motions for adjournment. The privilege of a motion for adjournment, as I have explained before, was never intended for an ordinary casual motion made by any honourable member, who chooses to come and throw a notice on my table. It is an extraordinary procedure and meant for extraordinary application and it should be reserved for such occasions. This question of the policy of the Government in dealing with the supplies for transferred and reserved departments has been before us for four years. It is not to be thought that in dealing with this adjournment motion we are going to solve the question as to what should be given to transferred departments and what should not be

[The Hon'ble the President.]

given to reserved departments. That is not reasonable. I perfectly well see that in connection with this motion the honourable member would like to say something on the distribution of the money, but we have had budget debates more or less since the 28th of February and I cannot believe for a moment that the subject is now one that can be considered to be of urgent importance, because honourable members have already had ample opportunities to criticize. There is nothing more that they can do now. The matter is one that should come in the ordinary course of Council procedure during the course of the year whether arising out of a supplementary estimate, or by resolution, or however it may be. There is no justification for treating it as an extraordinary motion that must be dealt with urgently. These are the reasons which lead me to decide that it does not fall within the standing orders on this subject.

BOARD OF HIGH SCHOOL AND INTERMEDIATE EDUCATION.

Election of three representatives of the non-official members of the Legislative Council to serve on the Board of High School and Intermediate Education, United Provinces.

Raja Jagannath Bakhsh Singh : I propose the following members :—

Lala Mathura Prasad Mehrota.

Rai Bahadur Lala Sita Ram.

Hafiz Hidayat Husain.

Nawab Muhammad Yusuf : I second the proposal.

Pandit Baijnath Misra : I propose the following names :—

Pandit Govind Ballabh Pant.

Pandit Nanak Chand.

Hafiz Hidayat Husain.

Mr. Mukandi Lal : I second the proposal.

The Hon'ble the President : There are five names proposed for election, namely :—

Lala Mathura Prasad Mehrota.

Rai Bahadur Lala Sita Ram.

Pandit Govind Ballabh Pant.

Pandit Nanak Chand.

Hafiz Hidayat Husain.

Thakur Manjit Singh Rathor : Will the honourable member let me know whether the consent of Rai Bahadur Lala Sita Ram has been obtained ?

The Hon'ble the President : Has the honourable member obtained his consent ?

Raja Jagannath Bakhsh Singh : I have not obtained it, but as he has already been on the board before, I assume, that he will not refuse to serve on the board.

The Hon'ble the President : I understand Rai Bahadur Lala Sita Ram is ill, and if his consent has not been obtained, the proposal is invalid.

Raja Jagannath Bakhsh Singh : If my proposal is invalid, then I would propose Pandit Govind Ballabh Pant in his place.

The Hon'ble the President : In the circumstances there are now only four names, Pandit Govind Ballabh Pant, Pandit Nanak Chand, Lala Mathura Prasad Mehrotra, and Hafiz Hidayat Husain.

TECHNOLOGICAL INSTITUTE, CAWNPORE.

Election of a representative of the non-official members of the Legislative Council to serve on the Advisory Committee for the Technological Institute, Cawnpore.

Babu Nemi Saran : I propose the name of Babu Narayan Prasad Arora.

Thakur Manjit Singh Rathor : I second the proposal.

Rai Bahadur Thakur Hanuman Singh : I propose the name of Dr. Shafa'at Ahmad Khan.

Mr. Muhammad Aslam Saifi : I second the proposal.

Babu Nemi Saran : I withdraw the name of Babu Narayan Prasad Arora.

The Hon'ble the President : Dr. Shafa'at Ahmad Khan being the only candidate, he is duly elected.

THE BUNDELKHAND ALIENATION OF LAND (AMENDMENT) BILL.

Pandit Bhagwat Narayan Bhargava : I beg to move that the Bill to amend the Bundelkhand Alienation of Land Act, II of 1903, be referred to a Select Committee composed of the following members :—

1. Pandit Jhanni Lal Pande.
2. Thakur Har Prasad Singh.
3. Thakur Keshava Chandra Singh Chaudhri.
4. Khan Bahadur Shaikh Masud-uz-Zaman.
5. Babu Sangam Lal.
6. Babu Parsidh Narayan Anad.
7. Lieut. Raja Hukm Tej Pratap Singh Bahadur.
8. Hafiz Hidayat Husain.
9. Pandit Raja Ramji.
10. The Legal Remembrancer to Government.

I have placed on the Select Committee all the members whose constituencies are in the least affected by this Act. Very briefly, I shall refer to the provisions of this Act only so far as they are pertinent to the amendment contained in my Bill. This Act was enacted in the year 1903 when indebtedness was very much increasing in Bundelkhand, the reason of

[Pandit Bhagwat Narayan Bhargava.]

which the people's representatives in the then Council attributed to the over-assessment of revenue, while the Government regarded it as the result of the unthriftiness of the people. However, I am not going into the details of those proceedings at the present stage. I will simply put before the House that under the provisions of this Act the Government has declared certain communities as agricultural classes in Bundelkhand. Now the persons belonging to those agricultural classes cannot sell their land and their landed property cannot be attached or sold in execution of any simple money decree of a civil court. By my amendment I do not want the Government to give power to those persons to sell their land, nor do I want the Government to make their property liable to sale ordinarily in all civil court decrees. I shall shortly state the purpose of my Bill.

For the last few years the privileges and powers given by this Act for the protection of the landed properties of the declared agricultural classes have been very much abused. People belonging to these classes contract loans which they either use in their family necessities or even for the purchase of landed property and then soon after purchasing that property they apply for being adjudged insolvents. When they become insolvents, on the one hand they have already acquired money or property with the help of the creditors and, on the other hand, they become immune from all sorts of payments, because their property under the Act cannot be touched by the creditors. When this Act was passed, that is in the year 1903, the Insolvency Acts of 1907 and of 1920 were not there to give any such facilities to those classes as they are now, I should say, enjoying without any lawful right. Belonging as I do to Bundelkhand, I can without any fear of contradiction say that the number of such insolvents as are simply abusing the powers conferred on them by the Act is abnormally increasing. I wanted information from the Government in this respect and put several questions regarding the figures of insolvents belonging to the agricultural classes; I also wanted to know the figures of the sales effected before the enactment of the Bundelkhand Alienation Act and also after that, but I was not given the information because it would have involved a good deal of labour. But, from my own experience, as a resident of Bundelkhand, and as a practising lawyer, I can say that the number of such agriculturists as contract loans for purchasing property and who soon after become insolvents is very much increasing. It is in order to put a stop to this abuse that I have brought forward this Bill. I know of concrete cases in which people have got an annual income of profits to the extent of four or five thousand rupees but they become insolvents for a debt of only one thousand or two thousand rupees because they know that the Act is there to protect them against their actions of cheating and dishonesty in this way. I do not want to take away the protection which the Act confers at present. I am not opposing the principle underlying the Act which gives protection to those classes. What I want is this that just as the debtors of these classes are given protection under the Act, some sort of protection must also be given to the creditors of these classes. As I have been told by some of my friends that there may be necessity of moving certain amendments to my Bill, I have thought it fit to refer it to a Select Committee. I shall be willing to accept any amendment which either gives equal rights of protection to both these classes or I

would even go to the length of saying that I shall accept an amendment which will give more privileges to debtors than to creditors. But on principles of justice I would ask the Government to extend the protection to both these classes in Bundelkhand. With these words, I commend my motion for the acceptance of the House.

Babu Sangam Lal : I move that the Bill to amend the Bundelkhand Alienation of Land Act, II of 1903, be circulated for the purpose of eliciting opinion thereon and that opinions be received till the 30th June, 1925.

The honourable member for Jhansi has pointed out the necessity for inserting a small amendment in the Bundelkhand Act. So long as the present Act continues, I do not agree exactly with the method which he proposes, but if instead of it a theka for twenty years or for a shorter period is given, I think that will meet the needs of the situation, because what I understand the honourable member has in his mind is that a member of the agricultural tribe should not be allowed first to contract a debt and then to repudiate the debt by becoming insolvent. What I think he aims at is that when after contracting a debt he becomes insolvent, the receiver should have the power of realizing the money out of the proceeds of the property. I think that a theka of the property may be given for as many years not exceeding twenty years as will be sufficient to pay off that debt. While I agree with the object that he has in view, I still think that large classes in Bundelkhand will be affected by this amendment and therefore it would be proper that before we decide to proceed with the Bill we invite the opinions of the persons who are likely to be affected by this amendment.

While I am dealing with this I would like to say a word in this connection. When this Act was passed things were quite different from what they are now in Bundelkhand. When this Act was passed, the people of Bundelkhand had become very indebted due to the land revenue policy then prevailing in that part of the province. Bundelkhand was not then protected by protective canals and, therefore, it was just and proper that the Government, whose policy was responsible for the indebtedness of the zamindars in that tract, should devise some means to give relief to the people there. Now, Sir, 22 years have passed since then and things have improved to a great extent. The land revenue settlement has certainly improved and I do not think there are now cases of people contracting debt with a view to pay arrears of land revenue. Then we have a system of protective canals in Bundelkhand which has increased the productivity of that part of the province. The third reason advanced then was that the people were very thriftless. I think it is not a special sin of the people of Bundelkhand. It will apply to the people generally throughout this province, and if that be taken as an argument, then it will mean this, that the Act should be extended to the whole province and should not be confined to that one particular part of the province. Then, Sir, as I said, things have changed and conditions are much better now. That Act lays a restriction on the unrestricted borrowing by zamindars there. In spite of that restriction, we know that debts are contracted by the people. The same restriction exists in the case of tenants who cannot even mortgage their holdings. It has been declared illegal by the tenancy Act. Yet we know that lakhs of rupees are invested on the security of

[Babu Sangam Lal]

these holdings, because, so long as the necessity exists for improving the land as well as for the other needs of life, men will continue to borrow in spite of legal restrictions. Therefore, I have no sympathy with zamindars or tenants who borrow for going on pilgrimages or for lavish expenditure on marriages, but I have every sympathy with the landlord and the tenant when he tries to borrow money for the productive purposes in order to improve his land. Therefore, so long as the present Act continues, I am in favour of some restriction being placed on the unrestricted borrowing, but I do maintain that now we have reached a stage when they should be given the power of borrowing at least for productive purposes at reasonable rates of interest. I think, Sir, that this is a proposition with which no member in this House will disagree. Of course, we have to provide necessary safeguards. The present small landlords in that part of the province do borrow money, but what have they to do at present? Even to take a small loan, they are compelled to either execute a simple mortgage bond of their property or take out a usufructuary mortgage. This means that even for a small sum of Rs. 100, or 200, or 300 rupees they have to spend money on stamps and registration, which is a great charge when we take this small sum into account. Therefore, I think, if the power is given to the receiver that instead of selling the land he should be able to give the land of the insolvent on theka for a period not exceeding 20 years and for the repayment of those loans which were contracted for productive purposes, at reasonable rates of interest, I think it would meet the needs of the situation. It would not be any new thing which the Government will be doing. I would refer only to the amendment of a section which took place in 1915. When this Act was passed a difficulty was felt that the lambardars used to realize all the rent-money and they turned dishonest and did not pay their share to the co-sharers. When the co-sharer wanted to get money for his share he got only a simple money decree. The simple money decree could not be put into execution. The land could not be given on theka. Then it was felt that it was very unjust, and the lambardar should not be allowed to appropriate all the profits to himself under cover of a simple money decree which could not be executed against the property of the lambardar. Therefore the Act was amended in order to enable a co-sharer to realize his share of the profits by giving the land of the lambardar on theka for a period not exceeding 20 years. My only point is this, that when a difficulty has been felt, steps should be taken to give relief without impairing the security and protection which the zamindars enjoy in that part of the province, and I do submit that, as I said before, if you confine yourself to loans taken for productive purposes at reasonable rates of interest it is just and proper that the person who advanced the money should get the money back. It will have the additional advantage of decreasing the cost of taking money which those who incur debts at present have to incur in executing a simple mortgage bond. Therefore, while I do hold, that the honourable member for Jhansi has made out a good case for referring this Bill to a Select Committee, yet I think as large classes will be affected by it, it would be better to proceed cautiously and we should wait for the opinions of the people who will be affected by this amendment.

Bai Bahadur Thakur Hanuman Singh : I rise to oppose the motion to refer to a Select Committee, the Bill to amend the Bundelkhand Alienation of Land Act, II of 1903. Sir, this Bill aims at applying an axe to the very root of the principle on which the Alienation of Land Act is based. It was passed for the purpose of protecting the landed property of the zamindars in Bundelkhand which was passing out of their hands very rapidly, and the Government thought it a great menace to them. Now this Bill contemplates an amendment which after tactful manoeuvring of the mahajans will bring the land to be saleable. Sir, those who advance money to the classes who are protected by this Act are foolish people, if I may be permitted to say so. When they know that the property—I mean the landed property—of the debtor cannot be sold in execution of a decree, and that the movable property is liable to be removed, concealed or sold, then they should think twice before advancing any loan to these classes who are protected by the Act; and, if they still do so, they should be considered to be doing it at their own risk. Government should not legislate to safeguard the interests of such people who knowingly speculate for their own profit. The honourable mover has said that the powers and privileges conferred on the zamindars who are protected by the Act are being misused and that they are taking advantage of the provisions of the Act. Anyone who is not strictly honest, over-conscientious placed in the position of those zamindars, will do the same when he has to deal with men who cannot foresee their own interests and who, being blinded by the large profits of the transaction, advance money which cannot be said to be secure.

Sir, it has been suggested by my honourable friend Babu Sangam Lal that a provision should be put down in the Act to enable the courts to give the lands of the debtors on lease to other persons for twenty years or so, with a view to recover the debts advanced to the owners of the lands or to appoint receivers, and so on. If this suggestion is carried out and embodied in the Act, I am sure that it will increase the work of the courts, and the Government will be forced to come with a proposal to increase the cadre of the judiciary. Indirectly it will be creating a burden on the Government without any hope of benefiting the public at large.

With these few remarks, Sir, I resume my seat, hoping that all the members who have any regard for the interests of the landlords will not support the motion. I think it will be useless to send the Bill to the Select Committee, as it will in the end be rejected by this Council. If it goes to the Select Committee it will cost a lot to the Government.

Nawab Muhammad Yusuf : I rise to oppose the Bill which has been moved by my friend Mr. Bhagwat Narayan Bhargava. I feel there is no occasion for us to protect the rapacious creditor. If people come forward with open eyes to give loans to persons from whom they cannot recover the money, then they must be prepared to abide by the consequences. There is the temptation of coming forward to give loans and charge exorbitant rates of interest. That is the situation. It is with a view really to ensure the landlords it is with a view to put them in a difficult position later on that they come forward and give loans to them at very exacting rates of interest.

[Nawab Muhammad Yusuf.]

That is at the root of the whole thing. No sympathy should be wasted at all over these people. If they know that there is this Act, the Bundelkhand Land Alienation Act of 1903, and they also know that they cannot touch the property, and if after knowing all this, and in spite of this, they come forward and advance large sums of money to landlords, then they must be prepared to abide by the consequences. This Act was brought into force with a view to protect the landlords of Bundelkhand from usurers. My friend Mr. Sangam Lal thinks that this Act was brought into force at a time when the people were indebted to a very large extent and that the state of affairs is different now. The state of affairs is more or less the same today as it was in those days when this Act was brought into force with a view to protect the landlords from the nefarious activities of money-lenders and usurers. I recognize that something must be done later on. A thought may be bestowed on the question as to whether sometimes facilities may not be afforded to landlords to contract debts with a view to improve their lands and so on and so forth. But that is a different question and has no connection whatsoever with this Bill. Those whom my friend the mover wants to protect are the creditors, who are ever-ready to come forward and advance money, knowing full well that they cannot touch the property and yet feeling secure in the fact that the position of the landlord is such that he is bound to pay back the money with an immense amount of interest added to the amount advanced. That is the temptation. That is the reason why these people come forward to advance money. This Act was passed to discourage people from advancing money at exorbitant rates of interest. It is with a view to put a stop to the indebtedness of landlords that this Bill was passed. Therefore, I submit, that if this Bill which is before us to amend the Bundelkhand Land Alienation Act of 1903 be passed, it will mean that today the Council accepts the policy of putting an end to the protection that was afforded to the landlord by the Bundelkhand Alienation Act of 1903. With these words, I strongly oppose the motion. I will further oppose the amendment moved by my friend Mr. Sangam Lal who thinks that useful purpose will be served by circulating the Bill. I think, Sir, that no useful purpose will be served by circulating the Bill because we are opposed in principle to the Bill which has been moved by my friend.

Pandit Baijnath Misra : There does not seem to be much logic in opposing the Bill at this stage. If the Bill strikes at any principle of law that is prevailing at present or which the Council accepts, the stage to oppose that was when the Bill was introduced in the Council. Now that the Council has given permission to introduce the Bill, the Bill requires consideration, but I admit, Sir, that the objections raised by the opposers of the Bill also deserve some consideration, and I think their object will also be met if the amendment proposed by Mr. Sangam Lal is taken into consideration. I think the object of both the sides, that is the supporters of the Bill as well as the opposers of the Bill, will be sufficiently met when the Bill is circulated for further consideration. Therefore, I would like to support the amendment of my friend Mr. Sangam Lal.

The Hon'ble the President : Before I call on the next speaker, I wish to refer to a remark which I am not quite sure if I caught quite correctly. I think the honourable member said that the time to oppose the Bill was when leave to introduce the Bill was being asked for; I am intervening at this stage to say that that is not exactly the correct view. The constitutional tendency undoubtedly in India is—and has long since been established in the House of Commons—to let the first reading, that is to say the motion for leave to introduce, alone—to make that a formal matter. It is only when we come to the motion for consideration or for referring to a Select Committee that our Councils are prepared to admit that they are—if they agree to such motions—supporting the principle of the Bill. Up to that stage Councils in India are not inclined to admit that the principle of the Bill or of any section of the Bill is being accepted. That is the line that most of the Councils are taking up in India, which is, as I said, already the practice in the House of Commons. So a Bill need not and ordinarily would not be opposed at first when the motion for leave to introduce is made, but if this motion is adopted for referring it to a Select Committee then the Council will have committed itself to the principle of the Bill.

Pandit Nanak Chand : May I rise to a point of order. I just want a ruling from you about the position of a Bill in relation to the principle underlying it in connection with the motion for circulation for the purpose of eliciting public opinion, whether the Council will stand committed to the principles of the Bill and will be precluded from discussing the principles of the Bill if they allow it to be circulated.

The Hon'ble the President : No, that is not so. The adoption of the motion for circulation does not commit the Council to the principle of the Bill. It is only the adoption of the motion for reference to a Select Committee that will commit it to the principle of the Bill.

Khan Bahadur Shaikh Masud-uz-Zaman : I myself come from Bundelkhand and I claim to know something about the Bundelkhand Alienation of Land Act, not only from the point of view of its application but also from the point of view of the interests of different classes involved in this Act. When the Act was passed the chief consideration before the Legislative Council was to protect the property to the agriculturists from encumbrances and from going into the hands of mahajans and bankers, because bankers in Bundelkhand happen to be distinctly a different class from those who possess land. That was the situation and that was the consideration for which this Bill was passed. The present motion to amend the Bill, I understand, is not such a serious infringement of that principle. What I think the mover wants is not really to effect any change in the principle, but to modify it so as to prevent such unscrupulous people who want to defeat the creditors simply by taking unfair advantage of this Act. That is what probably the honourable mover has in view by introducing an amendment that bankrupts should not get the advantage of this Act. But I am not sure at this stage whether it will not materially affect the real agriculturist class. Therefore, so long as the principle is maintained by the Legislature that the Bundelkhand Alienation of Property Act is to continue in force in Bundelkhand or any part of the

[Khan Bahadur Shaikh Masud-uz-Zaman.]

province, I think it will be necessary to go thoroughly into the question of the infringement of rights of real agriculturists for whose benefit this Act was passed, and I think it is not quite clear from the present draft Bill that it will not altogether affect the principle also. So while we are not quite sure about its results, I think it will be very necessary that the Bill should be re-circulated and should be given very careful consideration by the members of this House before it is taken up as really to be decided one way or the other. With these words, I support this amendment.

Raja Jagannath Bakhsh Singh : It would be clear to honourable members of this House that the present motion concerns a Bill which gives larger powers to the creditors over the debtors. Well, this I should say is a principle which is quite contrary to the practice in these provinces. The public tendency and the policy of the Government and the desire of the country at large, particularly of the landlords, is to safeguard the interests of the landed proprietors on whom the creditors are always trying to make encroachments. This principle is evident in the present Court of Wards Act. There is a provision in the Court of Wards Act of these provinces and I have been pointed out by my friend on my right that it is section 12—that when a certain estate is taken under the Court of Wards the Government has the option to reduce the interest. This clearly is a provision which discourages the creditors. It can easily be said, just as it has been said by the supporters of this Bill, it hurts the interest of the creditors. But then that has been the policy of the Government, that has been considered to be the right thing, that has been considered to be the right protection required by the landlords. Now this Bill clearly goes against that principle. In this case I should like to point out to the House that it intends to obtain the sale of property of undischarged insolvents. It may be said that the Government and the Council should see to the interest of the creditors as well as of others. But then it is well-known in the country, as has been pointed out by Thakur Hanuman Singh and Nawab Muhammad Yusuf, that anybody who advances money to the landlord—runs the risk of the provisions of the Act. If a creditor intentionally runs the risk, this Council is not to go to his help. The matter is quite clear and it is unnecessary to criticize the Bill at any greater length. With these words, I oppose the Bill.

The Hon'ble Mr. S. P. O'Donnell : I rise to oppose this motion that the Bill be referred to a Select Committee. I do so because I believe that this Bill, if carried, will entirely destroy the protection which the Act gives to the zamindars of Bundelkhand. For the same reason, I oppose the motion that the Bill be circulated for the purpose of obtaining opinions, because in my judgment the protection afforded by this Act is essential for the welfare of the landlords and therefore no purpose will be served by circulating the Bill.

Now, Sir, I may remind the Council of the circumstances which gave rise to this Act. At the beginning of the century the landlords of Bundelkhand were heavily indebted. They were so heavily burdened with debt that the Government decided that special measures were

necessary for their relief. For that purpose two measures were adopted. One was the Bundelkhand Encumbered Estates Act. The object of that Act was to save the estates which were indebted. It was not possible to save all the estates, but we did manage to save a great many. It would, however, have been useless merely to save the estates if the same process was to repeat itself and if after a few more years these estates were again to become encumbered with debts. Therefore, a second measure was adopted, viz., the Bundelkhand Land Alienation Act. The essence of that Act is that the land of a zamindar cannot be sold up in execution of a decree. There is no absolute prohibition against transfers. A landlord who does not belong to an agricultural tribe can permanently alienate his land and a landlord who belongs to an agricultural tribe can alienate his land in favour of another zamindar who belongs to an agricultural tribe. There are also provisions which allow usufructuary mortgages and leases to be given for a limited period. But the land cannot be sold up in execution of a decree, that is the essential protection which the Act affords to the zamindars of Bundelkhand. Now, if this Bill becomes law, that protection will be gone. I may remind the Council that section 13 of the Act says that land cannot be sold in execution of a decree. Now this, Bill says—

“The following shall be added as sub-section (4) to section 13 of the said Act:—

“Nothing in this section shall affect the right of a scheduled creditor under the Provincial Insolvency Act, V of 1920, to get the land of an undischarged insolvent sold in lieu of his proved debts.”

If this Bill is passed, the creditor will obtain a decree for the money which he has lent. He will then attach some movable property. It does not matter what that movable property is. He will attach some property, get it sold and then apply to the court to have the landlord declared an insolvent under the Insolvency Act. The moment the landlord is declared an insolvent, the creditor can sell the land. So there will be no essential difference between the position of a landlord in Bundelkhand and the position of anybody in any other part of the province. There will be a few more formalities which will have to be gone through by the creditor; otherwise the creditor will have just the same power as he has elsewhere. Therefore, it is perfectly clear, that if this Act is passed, the protection afforded to the zamindars will be destroyed. Now, Sir, we are told by Babu Sangam Lal that the conditions have changed since 1903. It is quite true that there has been some extension of irrigation. It is not the case by any means that the whole of Bundelkhand is protected by canals. It is also true that the people of Bundelkhand are more prosperous than they were 22 years ago. We have, however, received no reports of any kind which indicate that the need for protection has disappeared.

Then we were told that the creditors were subjected to great injustice and that they were unable to realize the money which they lent. Whose fault is that? The money-lender who lends money knows exactly what the security is. He knows, or ought to know, what the provisions of the Act are. He knows that he cannot sell up the land of

[The Hon'ble Mr. S. P. O'Donnell.]

the landlord in execution of a decree. If, knowing that, he lends money which he is unable to realize, whose fault is that, and why should any excessive sympathy be extended to him? It has been suggested that a change in the Act is necessary in order to enable the landlords to obtain the necessary credit for the purpose of developing their estates. I have served in Bundelkhand, and I do not think that a great deal is done there in the way of the development of estates. Bundelkhand is a peculiar area, an area where irrigation by wells is almost impracticable except in the *parwa* soil, and I do not think that money is borrowed to any serious extent in Bundelkhand for improving estates.

In any case, we have had no reports indicating that the landlord finds it difficult to raise money for this purpose. I remember quite well that when this Act was under discussion, over twenty years ago, it was suggested that if it were passed, the landlords would find it difficult to raise the money which they really required. We have had report after report on that subject, and no report shows that there has been any such difficulty in practice. Further, had there been any such difficulty, we would no doubt have heard about it from the landlords of Bundelkhand. We have had suggestions that the protection accorded to agricultural tribes in Bundelkhand should be extended to other persons. We have had no suggestion that the protection accorded already should be either withdrawn or weakened. If the zamindars desire that the Act should be amended, why do they not send representations to the Government? If they do so, the Government will be perfectly ready to consider them. We have had no such representation so far. It is said that the Bill has been introduced because the landlords of Bundelkhand desire a change. I do not suppose that even one per cent. of them have heard of it at all. I know a little about Bundelkhand. I have served in that part of the province myself. The Bundelkhand zamindars are mostly small men. They are not large and wealthy proprietors. They are not a highly educated community. They do not study the papers day by day. They do not study the proceedings of the Council. I am, however, quite certain that if one were to go round the villages and explain to the landlords what the provisions of this Bill are, there would be some very vigorous protests against it. Therefore I hope the Council will have no hesitation in rejecting both of these motions.

Pandit Jhanni Lal Pande: Representing as I do a district of Bundelkhand, I deem it my duty to inform the honourable members of this House that so long as I have the honour to be here any attempt either on the part of the Government or the non-official members to whittle down or even to decrease the privileges of the zamindars of Bundelkhand is bound to meet the strongest opposition from me. I have, however, a word of advice, or shall I say warning, to give to my zamindar friends, and it is this, that in their zeal to safeguard the interests of their fellow zamindars in Bundelkhand they should see that they do not over-shoot the mark. The honourable members of this Council should realize that credit is deteriorating in Bundelkhand. The experience of the Hon'ble the Finance Member is twenty years old. The condition of the country now is not what he depicted before the House.

I would therefore request the Council to accept the amendment of my friend Babu Sangam Lal. By doing so, the Council will not be binding itself. It will be at liberty to throw the Bill out when it comes before it again after circulation. Meanwhile, it is necessary to find out whether or not there is a genuine grievance among the zamindars themselves on the question of the amendment of the Act.

Pandit Bhagwat Narayan Bhargava : It appears that by making over-zealous appeals to the sentiments of the zamindar members of this House, certain misunderstandings have been created. I personally thought that there could be no objection to the acceptance of the amendment of my friend Babu Sangam Lal. As, however, it appears that the wording of the Bill has given grounds for misunderstanding and belief in the zamindar circle that the zamindars would suffer in Bundelkhand, though I do not believe it, I beg leave of the House to withdraw the Bill for the present. I shall later on bring it forward in a modified form.

The Hon'ble the President : Leave was given by the Council to introduce the Bill, and the Bill was accordingly introduced. The Council was thus seised of it ; now the honourable mover wishes to withdraw it. It is within the competence of the Council to let the honourable member withdraw it. Is it the pleasure of the Council that the motion be withdrawn ?

Rai Bahadur Thakur Hanuman Singh : No.

The amendment of Babu Sangam Lal was put to the Council and negatived.

The original motion was then put to the Council and negatived.

RESOLUTION *re* EXCISE POLICY OF GOVERNMENT.

Mr. Mukandi Lal : I beg leave to move—

That this Council recommends to the Government to accept and declare that total abstinence is the aim and object of excise policy and to give effect immediately to the proposals of the Excise Conference with a view to achieve this end and to adopt measures, including local option and rationing and registration, for the speedy attainment of the said object.

The motion that I have the honour to move with your permission and with the permission of this House this morning to my mind is of very great importance. It will not be an exaggeration to say that it is of international importance. It is a subject which has engaged the attention of all social reformers and well-wishers of people in every country. We have seen that there are countries which have taken steps to put a stop to this traffic on which some Governments have been living so far. As a matter of fact I find myself quite in agreement with the declared policy of the Government also in this respect. I will remind honourable members that the announcement of the declared policy of the Government was made so far back as 1904 by Sir Frederick Lely, who said that the ultimate aim of the administration is to put down drink altogether. Sir, the Finance department in their Circular in 1904 said :—" Their policy is to minimize the temptation to those who do not drink and to discourage excess among others, but that in the furtherance of the policy

[Mr. Mukandi Lal.]

all considerations of revenue must be absolutely subordinated. Sir, a recent announcement on behalf of the present Government was made at Allahabad by the present Minister of Excise. He said that the furtherance of temperance by all legitimate means was the object of the present Government. Sir, if there were not these illusive and deceptive words that were used by the Hon'ble Minister there would not have been any necessity for me to bring this resolution before this Council today. Sir, three methods have been suggested in this resolution by which we can lead ultimately to total abstinence. The methods suggested in this resolution are local option, rationing, and registration.

I will first take local option. Local option involves the idea of self-determination. It gives to the people the right whether they would like to continue to be drunkards, whether they would like to go on indulging in the habit of drinking and other drugs or they would prefer to abstain from drinking. Sir, this is not a new idea. It is a very old idea. It is an idea that was brought to the notice of the Government in a memorial from Bengal in 1838 and at that time the Government of India circulated it for opinion to Local Governments. Then, Sir, in 1895 in the Bombay Council a draft Bill was introduced regarding local option. In the Bombay Legislative Council in 1911 Mr. Gokuldas Parekh moved a resolution recommending that the Government might be pleased to give a trial to the principle of local option within certain specified areas in which the majority of the inhabitants desired the closing of liquor shops in those areas. Sir, since then the principle of local option has been before every public-spirited man in this country and it has been at one time or the other discussed by almost every Indian Legislature. In 1918 in the Imperial Legislative Council, there was a motion on the same subject, and in the course of discussion on that motion Sir George Barnes said that if in future a Local Government recommended the closing of liquor shops in any particular area, he did not think that the honourable members would find the Government of India standing in the way of the recommendation. I particularly draw the attention of the present Government to this declaration which was made by the Government of India in 1918.

Sir, not only this, but we find that there are places in our own country where the principle of local option has been adopted. It has been adopted in Ceylon and it has been adopted partially in the Punjab. Sir, so far as the Punjab is concerned, local option has been given to certain municipalities and it has been adopted by the municipalities of Lahore, Amritsar, and Juliar. I need not go into the details of the principle, but I need simply refer to the fact that we are not asking for anything absolutely new. In Ceylon it has been found by the Committee that this system has done wonders and I will just only refer to a few figures that they have obtained in connection with the local option in Ceylon, which has been in force in Ceylon only since 1921. It is said that since when local option has been granted to the people of Ceylon 25 per cent. of the electors in any district may demand a ballot on the subject and all the drink shops in any area must be closed if 75 per cent. of the electorate required it. In 1921 in about half of the districts of the Island this had been accomplished and the latest reports record there further closings. During the last six

years 402 taverns have been closed by resolutions of the Licensing Boards and 273 by ballot. Commenting on the measures adopted in Ceylon the Bombay Excise Committee mentions that a Local Option Bill was passed in the Punjab in 1921, Lahore, Amritsar, Multan, Ambala, and Jullandar all voted dry. The Baroda State similarly has a restricted form of local option which permits the people by a 60 per cent. vote to prevent the issue of new licences or to suspend the old ones. Therefore we are not alone in this respect, but we are supported by other provinces in our own country. Then I may point out that it is not only our country where we find the local option being adopted and practised. It is in force in Sweden, it is in force in Norway, it is in force in Canada, New Zealand, and several other countries. We know in America there is not only local option, but America has gone dry, so to say, America has completely forbidden it.

Mr. David : Only nominally.

Mr. Mukandi Lal : I will point out that the Bombay Government has gone exhaustively into this question of local option. The Committee examined 185 witnesses and their printed evidence is to be found in a big volume appended to the report which in itself is a great and bulky document. Therein you will find the opinions given by the people who consider that local option is the best means of leading to total abstinence. We find that some of the witnesses who were examined gave their opinion in favour of local option. Some of them were members of the Government and others district administrators, men belonging to the Indian Civil Service. This is what they say:—"Witnesses who are for the extinction of liquor traffic are generally in favour of granting local option. They desire that the power of restraining the issue of licences for the sale of spirit should be placed in the hands of the local inhabitants who are most deeply interested and affected by the traffic. The existence of a shop in a locality is regarded as an annoyance to respectable people and therefore was wrong and the people of the locality should therefore have a right to protect themselves. Local option is an effective method and being based on self-determination is sure to enlist public opinion of the locality in favour of reform. It is more democratic than mere prohibition by law. It will have a double advantage of respecting the feelings of the people and sharing with them the responsibility of sale of liquor."

In this connection I will also urge that the idea of local option is a great educative idea. It is an idea that will teach people and train people in the art of self-government, and in the art of looking after their own affairs. It will inculcate in them the habit of looking after the welfare of their community and thinking of their future generations and deciding for themselves what is good and what is bad for them.

Then comes the idea of rationing that has been suggested by this resolution. This idea also is not a new idea that we are suggesting. It has been in practice in the Bombay presidency from 1922 and the Bombay Excise Committee in regard to rationing came to the conclusion that "not only do we consider rationing as the best direct method of fighting the drink evil and bringing about its ultimate removal but we hold that rationing has itself done a great deal in the extinction of the traffic." Now, with a view to expound further the idea of

rationing, I would tell you what it means. It means that the Government will have the power of fixing the amount of liquor that is liable to be sold by particular shops. Shops will have a maximum limit of the quantity of liquor that they will be allowed to sell. On the other hand there would be a limit put on the liquor to be sold to one single individual. In that way it will decrease the habit of drinking gradually.

Then comes the idea of registration. The meaning of registration is that the Government will be in a position to know who are the habitual drinkers, who are the people who usually resort to particular shops so that they may know what amount of liquor will be required for a particular shop. Therefore there is nothing revolting in the idea of rationing, there is nothing revolting in the idea of registration; and of course in the idea of local option there is almost everything that is desirable.

Sir, you may be reminded that in spite of the injunctions of the Muhammadan religion, in spite of the prohibition enjoined by the Hindu religion and in spite of the cry of the reformers, how is it that we want the aid of law? How is it possible for a law to stop a thing that a religion cannot stop, that social reforms cannot forbid and that even the people cannot give up taking their self-interest into consideration? I submit that if this is the only way by which you can judge the force of law, then in spite of our law courts, in spite of our laws, we do find that crime is still there. We have to see how we can minimize the evil and that is why we suggest through this resolution that you have to see how far you can minimize the evil.

Sir, the Local Government convened an Excise Conference which held its sittings in last December in Allahabad and this resolution does not really go very far beyond the recommendations of the Excise Conference. The recommendations are many. There are as many as 20 recommendations of the Excise Conference. The fourteenth recommendation says that "the Government should frame and introduce a measure giving effect to the principle of local option and local areas should be given the right of exercising separate option in respect of liquor, hemp drugs, and opium." Sir, we do not ask much more than this. True, that the idea of rationing and the idea of registering is not included in these recommendations, but these are not the last word on the subject: they are not exhaustive. The idea of rationing and registering is only a means with a view to enforce the idea of local option and are included in it. When it suits the Government they accept the recommendations of conferences and committees. In the budget we have practically passed these measures. They have already taken money for inspectors which was suggested by this conference, but when it comes to the vital question that affects the policy of excise, Government seems to feel shy of adopting means and ways.

I said, Sir, whether we are asking anything new. It is not anything new we ask for. The thing we ask for we ask in the name of even humanity. Sir, it is so far back as 4,000 years ago in China prohibition was practised—prohibition was practised in China, in India. We know from our religious books that authority was given under certain conditions and to certain sections of the people to indulge moderately in drink in the name of religion. But there came a great reformer, Buddha, who came and said:—"Stop altogether the vice of drinking." The

result of his teaching was that in the fourth century a great Chinese traveller Fa Hien came to this country. He describes the condition in regard to drinking. He says the people of this country (India) do not take intoxicating liquor and there was no wine shop crowding the bazars and markets. He was a great traveller and he observed the condition of the times and we find in the fourth century drink was absolutely stopped in this country as the result of the teaching of Buddha. In the seventh century when Huen Tsang, another Chinese servant and traveller came, he corroborated the testimony of Fa Hien also. Sir, looking back to the history of Muhammadan rule some people think that the Muhammadan rulers, the Moghul Emperors, indulged in this vice. They say that Jahangir was fond of wine, so fond that even on his coins we see him with a cup of wine in his hand. But we forget rulers like Aurangzeb who prohibited drink, we forget Musalman rulers like Alla-ud-din Khilji who even went to the length of breaking all his glass and china; and it is suggested in history that the breaking of these resulted in pools of wine, as if it was the rainy season. His punishments too were very severe for drinkers. Therefore it is not a new thing in this country.

Looking back to the country which is interested in the administration of this land there also it is not a new thing. In 953 A.D., in the reign of King Edgar a temperance movement was started by Archbishop Dunstan who induced the King to suppress all the ale houses, in the country. From 1854 the idea of prohibition has been in the forefront in Great Britain. In 1854 there was Forbes Mackenzie's Act which advocated Sunday closing in Scotland and as a result 5,000,000 gallons of wine were decreased in consumption. Then we find in the House of Commons in 1889 Indian policy was denounced as being likely to encourage habits of drinking in this country. At the same time the fact of self-interest comes in and that is where shoe pinches. Here the interest of the Government, I do not mean to say their interest is selfish, their interest is involved in the revenue. For that also I will point out sources of revenue, new revenue quite as much if not more than the excise revenue. When in 1903 the English Licensing Bill was carried by 350 votes to 130, in the House of Commons, it went to the House of Lords. All the Lords, 130 of them were actually owners of breweries and holders of shares in various concerns manufacturing wine, came there and it is said that there came some who had never before entered the House for four or five years and for the first time they took the oath and came with a view to out-vote that Bill and therefore that Bill was thrown out in 1903. Therefore I am not surprised if self-interest comes in. But when it comes to actual practice what do we find? We find that during the War there was practically prohibition or option put on wine. The hours of the wine shops were restricted and they had to close at certain times and they were not allowed to sell in certain places. There also rationing came in and we have seen the coupon system was adopted for almost every provision that was consumed by human beings. Therefore the same coupon system can be adopted in rationing also.

Then Sir, finally I come to this idea that what effect this wine has on ourselves. Lord Shaftesbury who was connected with the lunatic asylums in England for fifty years, said that 50 per

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cent. of the cases that came there were of people given to drink. Then as to France we see that it is alleged that most of the suicides are due to drinking habits. When we see to the records of the courts of law we find most of the crimes take their origin from the drink habit. I will give Labour's view on this point. It is the considered opinion of the Labourites that there are some people who think that drink exhilarates them and gives them enhanced force, but they repudiate the suggestion and the experience of the working classes in England is that every dose of wine that a working man takes deteriorates his efficiency in work and makes him the worse for it. Therefore it is in the name of humanity that I suggest that this habit should be stopped. Now before I sit down I would like to suggest how Government can meet the situation, so far as revenue is concerned. It will be pointed out that if we give up this revenue and we must lose it if we have total abstinence, that will mean a loss of a crore and a half. I venture to suggest that there can be a terminal poll tax on railway tickets for persons travelling from outside United Provinces (coming into the province of one anna per rupee. The revenue from this is likely to come to 50 lakhs. Then, Sir, a tax—I know some people will laugh at this—on every child born of one rupee, because that child is going to benefit in his day from prohibition and therefore his parents should pay one rupee on his birth as excise insurance. Then, Sir, succession duty is likely to bring in 30 lakhs. A licensing tax on tobacco shops is likely to bring in a big sum. Though I have suggested these taxes, I hope the House will not be prejudiced and think that if they pass this resolution they are likely to be taxed. But if the Government likes, it can find ways and means of finding money to make up for the loss of revenue.

I will, in conclusion, give you the considered opinion of the Bombay Excise Committee. They say:—"The general view of the higher and more enlightened classes of Hindus and Muhammadans about liquor is that even a drop of it is pollution and that drink in any form degrades humanity." Mr. Gokhale rightly said: total prohibition is really in keeping with the sentiment of the Indian people." That is the considered opinion of the members of the two large communities. And of course I am sure that that is the view of others belonging to other religious sects also. I will conclude with the following words of Ruskin:—"Drunkenness is not only the cause of crime but it is crime, and that if any encourage drunkenness for the sake of profit"—as our Government is doing—"derived from the sale of drink they are guilty of a form of moral assassination, as criminal as any that has ever been practised by the bravos of any country or any age."

Hafiz Hidayat Husain: I entirely agree with all that my honourable friend on my right the mover has said in condemning the drink and the other intoxicants. I do not think any more words are necessary to add to his charges in asking the House to accept the resolution. We have in the Hon'ble Minister, a good Musalman who as such knows perfectly well that it is one of his primary duties to stop effectually the curse of drink and the use of other intoxicants in these provinces. But it is not on that account, Sir, that I have risen to speak. I happened to

be a member of the Excise Conference which the Hon'ble Minister formed recently, and I wish to add a few words in my capacity as a member of this House to strengthen the recommendations made by that conference. I should not be understood to be in any way anticipating the conclusions of the Hon'ble Minister; nor should I be understood to be forcing him to state his conclusions on the floor of the House if his deliberations have not finished so far; only there are few observations that I desire to make in the discussion of this resolution.

Now, Sir, it is a good omen of the times that all the provinces have under consideration the total abolition of liquor and other intoxicants and are also considering ways and means for tapping other sources of revenue to displace this contaminated source. Excise now is a transferred subject. Therefore every Minister in every province has felt it his duty in response to popular wish to try to enforce total abstinence. Only there are certain difficulties in the way which I entirely appreciate. In the last Excise report of these provinces the Excise Commissioner stated that although the crops were good, and although the tenantry were generally in a good condition, still the excise revenue proved to be the lowest of the last eight years and the issue of excisable articles declined to the lowest figure on record. What are the reasons? Credit must be given where credit is due; and the Excise department of these provinces deserve well for fixing retail prices of the excisable commodities, the abolition of the auction system, curtailment in the number of shops and other restrictions. The result of this has undoubtedly been that there has been a lessening in the habit of drink; but there has been one bad result and that bad result is illicit distillation. In my budget speech I referred to this and stated that it was also the primary duty of the Excise department to prevent illicit distillation most effectively. I suggested certain ways. My first suggestion was that the supervising agency should not in any case be curtailed. On the contrary, we must have as many excise officers as possible to detect cases of illicit distillation. It would, when this practice showed signs of life, be a bad policy to curtail the supervising staff. Do not, if you do so, expect that there would be a lessening of the drinking habit, in the lower strata of society in any case. The crucial point, however, is—can we leave this accursed habit all at once. There are undoubtedly castes in these provinces which would consider it an undue interference with their social customs if the Government forced them to give up drink on occasions of festivities and others. Let me refer you to the Pasis and some of the sub-castes among the Chamars and other untouchable classes. But when I say this I do not mean that these are difficulties which are insurmountable. On the contrary I say that every effort should be made to overcome and to surmount these difficulties, if difficulties they are, to ensure total abstinence. It is the duty of the Government and the Government will not be true to itself and will not be entitled to our support or confidence if it did not discharge its duty by accepting total prohibition as one of its main functions.

To effectuate this I venture to put forth five constructive proposals. My first suggestion is that liquor shops should be closed on festival occasions like *Holi*, *Diwali*, etc. They are great temptations and I have seen it myself that labouring classes on occasions like *Holi* and *Diwali* resort to them with a vengeance as it were.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The shops are closed on the *Holi* day.

Hafiz Hidayat Husain: I am glad to hear from the Hon'ble Minister that these shops are closed on *Holi* but not, I think, for the full period. In Cawnpore the *Holi* lasts for at least ten days. There should be a standing rule that on festive occasions and for fully that period these excise shops shall be closed. The second suggestion that I wish to make is that local option should be forthwith tried in as many municipalities as it is possible. The third point is one to which my honourable friend has referred. It is the system of rationing under which there should be a reduction of at least 25 per cent. a year in the issue of excisable commodities. My fourth suggestion is that licensing boards should be given larger powers. Indeed licensing boards should be treated as responsible and self-governing institutions. Their number should also be increased as much as possible. My fifth suggestion is—and this point I made in my budget speech—that the Collectors and deputy collectors should have absolutely nothing to do with the excise department. The function of the collector should be the collection of revenue and no more. Deputy collectors are excise officers these days. As such they are subordinate to the collector. Their duty should in no case be to administer the department. It is only the excise officers, the excise department and the Hon'ble Minister and subordinates under him who should manage the department; officers of the reserved department should have no hand in the administration of transferred subject. The declared policy of the Government should be that revenue will, in future, be no consideration in the settlement of excise policy, that is to say the problem of excise reform will not be considered as a problem of revenue. Excise reform will be considered detached from consideration of revenue. Islam prohibits the use of intoxicants even for medicinal purposes. Recently, a decree has been proclaimed in Egypt for total prohibition. Turkey and all Musalman States have abolished the departments. Nearer home we have the Moslem States of Bhopal and Hyderabad where similar steps have been taken. Nor does the Hindu faith encourage drink. Therefore I repeat in all earnestness that it is absolutely necessary for this Government to declare once for all that prohibition is its aim and that revenue is no consideration; and as soon as the Government shows its earnestness to carry out loyally that definite policy I am perfectly sure that it will not be required to take refuge behind quibbles and the consumption enjoined so strictly by Islam and the great Prophet of Arabia 1,400 years ago and which now is the goal of every civilized Government will be achieved. I support the resolution.

Khan Bahadur Maulvi Fasih-ud din: I never intended to speak on this motion, but the two speeches which have just preceded made me to make an attempt to have my say on the subject. At least no Muslim can ever deny the fact that drink is a sin and a vice of the most intolerable kind. The Arabs were in pre-historic days a nation of drunkards, but one order from our Prophet forced them into a race of teetotallers. It is stated that when our Prophet communicated to his people the commandment of God that intoxicating drinks were not to be touched then the streets of Mecca were filled with that intoxicating fluid which began to run like streams of water and the lanes were

blocked with heaps of broken pottery and glassware. That was the belief in the tenets of Islam, that was the fervour, that was the zeal which enabled a handful of Arabs to carry their standard of supremacy to distant Spain and Morocco on one side and China on the other, to the regions of the Caucasus in the north and Zanzibar in the south. For this reason I think that if a law were to be made that at least if a Muslim takes wine he should be transported for life, I, for my part, would be glad. As to the other races, the members of which are used to taking liquor, I do confess that it is very difficult from a practical point of view to pass a law of total prohibition in their case all of a sudden, for the simple reason that some of the races which inhabit India have been used to liquor from time immemorial, from generations. For this reason I think that the question is rather difficult to decide in the case of these particular races. I am sure that as the Hon'ble Minister in charge of the portfolio of Excise happens to be a Muslim himself, and a good Muslim, it is very lucky that this department has been made over to him and I am sure that with his tact, with his grasp of the details of the department, that he will be able some time or other to arrange things in such a way as to bring about a total prohibition of this drink. I was not a member of the Excise Committee to which my friend Mr. Hafiz Hidayat Husain happened to belong and if I had been there I would have only said to enforce prohibition for Muslims and not for others.

Thakur Manjit Singh Rathor: I do not think many words are needed to commend a resolution of this character for the favourable consideration of this House. I think, Sir, that the resolution as moved by my friend Mr. Mukandi Lal is very moderately worded. The demand of this nation, the demand of this country, is definite and is clear. India, if it wants to make progress towards self-government, India, if it wants to make a real advance towards free institutions, must accept the policy of prohibition. We know that in America they have already accepted this policy and they have introduced legislation to have prohibition in their country. I think, Sir, the Government have not performed their duty by the country in not accepting this policy of complete and total prohibition. The policy of the Government, so far as the temperance movement is concerned, has been always very faltering and halting in its character. The Government have adhered so far to the policy of maximum revenue and minimum consumption and now they are going to revise this policy as I find from the report of the Excise Conference. They have used a phraseology more likely to please those who go by soft words in honeyed language. I think so far the policy of the Government has been always to consider the question of revenue first and this question of revenue has been, in my opinion, indissolubly associated with all policies of temperance. They have always had the consideration of revenue first and the consideration of prohibition last. I think, Sir, the Government in order to make their *bona fides* quite clear before the public should embark on a policy of complete prohibition, as was suggested by my friend Mr. Sangam Lal in a Bill which unfortunately did not meet with the wishes of His Excellency the Governor and which he was pleased to disallow. I think, Sir, half measures can satisfy neither the people nor the Government. The present policy of the Government is to act upon a system of half measures and to give with the one hand and to take away with the other.

[Thakur Manjit Singh Ratho,]

hand what is given by the one hand. The Nationalists in the whole country have definitely and clearly shown by resolutions in different conferences and by taking resort to a system of picketing that they do not favour the continuance of the present policy. What we desire, what the nation desires, is complete prohibition and total abstinence, but the Government are not prepared. Now this Excise Conference has made a number of recommendations and I think the recommendations are very moderate and the resolution as proposed by my honourable friend is as moderate as moderation itself. If the Government are not prepared to accept a resolution like this—what we demand is only that the Government should accept and declare that total abstinence is their aim and object and that it is their declared policy—if the Government are not prepared to accept and declare this in so many plain and definite words, I do not know what else they are prepared to do. The recommendations of the Excise Conference are summarized in this report and some of them deserve the serious consideration of this House, for instance, recommendation No. 4, which relates to distribution of excise shops. In my humble opinion the Excise Conference has not made very far-reaching recommendations so far as this point is concerned. I think it should be the duty of the Government, which is at present represented by a Minister who is himself a total abstainer, to see to it that within one year he reduces the number of excise shops by 25 per cent. I would request the Hon'ble Minister to kindly hear what I am saying with regard to his department. I would draw the attention of the Government that if they desire that their policy should command the confidence of this house they should see to it that they reduce the number of excise shops within this year by at least 25 per cent. and if they cannot do that, I think their policy cannot command either the confidence or the respect of this House. With regard to the point of licensing boards, I take this opportunity to point that in most cases licencing boards and excise advisory boards are so constituted that a major portion of the members of these boards are either themselves drunkards or are sympathizers of drinking. I know this from my personal experience of my district where I happen to be a member of the Excise Committee and unfortunately—with the exception of two members, one myself and one a certain Khan Bahadur—all the members, if not habitual drunkards, are sympathizers of drinking . . .

The Hon'ble the President : I do not think it proper that the honourable member should make defamatory statements about persons who are not present here to defend themselves. He can do so, if he wishes, outside the Council.

Thakur Manjit Singh Rathor : I am sorry, Sir, that I should have made a statement which it was not desirable for me to make. I only wanted to show that the constitution of these boards is not good. It is very desirable that the members of these boards should be of a representative character and should also belong to the temperance group.

Before I sit down I also want to draw the attention of the Council to the suggestion that at least once in a week the excise shops should be closed and I think Sunday is the proper day for closing the shops. In most Western countries it is the practice to close shops once in a week. If we introduce this practice, I think we shall be taking a step in the

right direction. What we want the Government to do is to take a step in the right direction and to make a bold and clear statement of their policy. The policy of the Government has so far been—"Ponder, pause, promise, and postpone and end by letting things alone." This policy will not do in the future.

Rao Abdul Hamid Khan spoke in Urdu; the following is a translation:—

Before I say anything about the original resolution, I, as a Musalman, consider it my duty to mention that Islam has completely forbidden its followers to drink or help others to drink alcoholic beverages in any form. Therefore, as a Musalman, I am in duty bound not to disagree with the spirit of the resolution. Khan Bahadur Maulvi Fasih-ud-din Sahib has said that the use of alcoholic beverages was prohibited by Islam in one day and in one order. I consider it my duty that with due respect to the honourable member I should correct the statement. The prohibition of alcoholic beverages by Islam was effected gradually or in degrees. The first order given in this respect was that no one should be intoxicated at the time of prayers.

Mr. Zahur Ahmad: What are the final orders?

The final orders are the same which I have already mentioned that is that Islam completely forbids its followers to drink or help others to drink alcoholic beverages.

As regards the original resolution, I must say that the question before us is not that of agreeing or disagreeing with the resolution, but of finding ways and means. During the discussion on the budget, few days ago, the printed report of the Excise Conference held at Allahabad reached us. Leaving aside the Hon'ble Minister, on whose time there is greater demand than on ours, and furthermore who has to study the question more thoroughly, there are many members amongst us who, like myself, have not read the report of the Excise Conference.

I am afraid that the honourable mover has been a little hasty in putting forward this resolution, for I am sure that it would have been much better to discuss the question after the publication of Government's resolution on the report of the Excise Conference. I am sure that the Hon'ble Minister in charge will not disagree with the principle of total prohibition, but unless he is given an opportunity to study the report of the Excise Conference and also to express his views it will be unfair to put any limitation on him.

As regards total prohibition, I must say that simply to demand or to make the Government admit that total prohibition is the goal of its excise policy does not end our duty. If we are honestly determined, then side by side with this resolution we should put forward some constructive suggestions. The practice of the principle of total prohibition will deprive the Government of excise revenue, and moreover, Government will have to maintain an establishment to check illicit distillation. Therefore, in order to feed the budget and balance its deficiency, it is necessary that after due consideration we should have some new tax of some sort sanctioned by the constituencies. Without this, Sir, our demand carries no value.

[Mr. Zahur Ahmad.]

Recently, while declaring its excise policy, the Government of Bombay said that the total prohibition is its goal. The *Leader*, a well-known English daily of our province, while commenting on it rightly said that without finding any means of balancing the deficiency of the budget this goal is similar to that of Dominion status for India which the Government can go on delaying as long as wished.

It has come to my knowledge from a reliable source that our Hindu Rajput brethren make use of wine while performing a certain religious ceremony. Thus wine is a part and parcel of their religion, a fact which we should not lose sight of.

In the present resolution local option has been recommended, but the *Leader* differs from it. While commenting upon the resolution of the Calcutta Corporation, the same paper has rightly said that "The Calcutta Corporation's resolution in favour of prohibition in Calcutta—for this is what it amounts to—cannot be taken very seriously. Any number of municipal boards in these provinces have on record similar resolutions passed from time to time. No result has accrued therefrom. Nor could any. If prohibition must be introduced, it must be as the result of deliberate policy after responsible consideration of the conflicting aspects of the problem. It cannot be got in by a side-wind as it were. At present, district and municipal boards have no interest in excise policy and administration and, therefore, they are not the bodies to determine the momentous issues involved. With these remarks I close my speech and trust the House will reject the resolution as it stands, or as it has been moved by my honourable friend.

Rai Bahadur Babu Shankar Dayal : I have to make a very short speech. As the report of the Excise Conference was supplied to us only a few days ago, we could not get sufficient time to study it. Under the circumstances it is very difficult to give any opinion one way or other, viz., whether we should support the resolution or reject it. I therefore think that the honourable mover will see his way to put it off for discussion on some other day. In the meantime the Government will get time to hold a conference with the *bhangis* and drunkards and I will also try to have a discussion with these persons. I had a talk with the *bhangis* of Muttra. By "*bhangis*" I mean those persons who are addicted to *bang*. They told me that the use of *bang* brings wonderful creations before their eyes. The drunkards also say that it sharpens their intelligence. The late Mr. Justice Mahmud would not have been an eminent lawyer . . .

The Hon'ble the President : Better avoid personalities.

Rai Bahadur Babu Shankar Dayal : This is a known fact. However, it is the duty of the Government to take the opinion of *bhangis* and drunkards and not to be guided by the members of the House. The *bhangis* and drunkards say—"Drink and be merry." Our Muhammadan brethren have said that wine is prohibited by the *Quran*. So far as I have read it, the *Quran* says so, and I think that the wine which will be provided in heaven will be free from intoxication.

Certain observations have been made against the Hon'ble Minister which are beside the mark. In his public capacity the Hon'ble Minister

is a Government man. In his private capacity he may be an orthodox Muhammadan or otherwise,

Pandit Jhanni Lal Pande : I beg to move that in the seventh line between the words "and" and "and" add "to strictly prohibit the increase in the number of shops."

Looking superficially at the wording of the resolution, one would say that there was no need to move this amendment, but I do so, because I wish to draw the attention of the House to the policy which the Government has been following of late in this direction. When the Hon'ble the Finance Member budgeted for an increase of about eight lakhs under "Excise," little did I think that he meant to increase the number of shops or that the Government was reverting to its old policy of providing increased facilities to persons who are given to this bad habit. In order to establish the truth of my statement I shall give the Council facts and figures relating to my own district. If honourable members will look at the Excise Administration report for the year ending 31st March, 1924, they will find that my district has been cited to show what may be going on as an accompaniment to the policy of reduction of shops. It has been stated that in April, 1921, there were 79 country spirit shops in the district, in April, 1923, there were 31, and from April, 1924, there are only 21. Now, seven new shops have been opened and these new shops have not been located at places from where illicit smuggling is suspected but in the interior of the district, and I should like the Hon'ble Minister to tell me how he justifies this state of affairs.

The Hon'ble the Finance Member stated that he could not look to the fall in revenue under excise with equanimity. How on earth can he regard it in that spirit? Had the Government been a national Government, any fall under excise would have been taken as a welcome and healthy sign of national development but not so under foreign Government. It seems, however, that the Government is really following a policy which is likely to add to the revenue under excise; for, as I have already stated, in my own district seven new shops have since been opened. The honourable members will again be startled to hear that there is a proposal to open three more shops in the district, and is going to be held an Excise Conference in Jalaun today for this amongst other purposes. If honourable members will turn to the Excise report for the year ending March, 1923, they will find the following remarks:—"It may be suggested that a considerable part of the deficiency in sales has been made good by illicit supplies. The fall in bulk quantity since 1920-21 has been 52.8 per cent. (The divisional figures are here noted.) The uniform heavy fall does not support the suggestion." Which shows that, till then Government did not think that smuggling increases with the reduction of shops. But in 1924 my district has again been quoted. The report says:—"Either in the jagirs people drink more because they are free to do so, or else the dearth of shops in Jalaun has encouraged smuggling from the jagirs: the latter is the probable course of events" It is to refute this suggestion most emphatically that I am speaking today. There are only three jagirs in my district, and if the Government want they can force the jagirs under the terms of their treaty to come into line with them in the matter of excise.

[Pandit Jhanni Lal Pande.]

policy. But they are not going to do so. Under that pretext they are going to increase the number of shops. Therefore I would like the Hon'ble Minister in charge of the department to make a clear statement as to what his policy is going to be. Is he or is he not in favour of increase in the number of shops and that is what my amendment asks?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Has the question of increase in the number of shops been published in any Government paper?

Pandit Jhanni Lal Pande : I come from the Jalaun district and I happen to be the chairman of the Excise Committee there and it is from my personal knowledge that I am speaking.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : May I understand that he has made recommendations for the increase in the number of shops?

Pandit Jhanni Lal Pande : It was on the recommendation of the Excise officer.

Babu Bhagwati Sahai Bedar : It would be really a sin on my part if I fail to join this debate and hence :—

“ Chale ae hanse bole agar ai hai yaron men

’ چلی ’ آئے ’ ہنسے ’ بولے ’ اگر آئی ہی یاروں میں

Dulhan bankar na baithe dukhtar raz bada khwaron men.

” دلہن بن کر نہ بیٹھے دختر رز بادا خواروں میں

The resolution as presented by my honourable friend has three parts. The first part wants that the Government should accept and declare that total abstinence is the aim and object of excise policy. The second part relates to the measures through which this policy is to be given effect to, that is by giving effect immediately to the proposals of the Excise Conference. The third part is explanatory. Hence in order to strengthen this recommendation it has been said that measures, including local option, rationing, registration, etc., be adopted. So far the arguments that have been advanced against it are one by Rao Abdul Hamid Khan Sahib about revenue. He says that we ought to have some substitute for the revenue which we are at present getting through it. He is acting like the qazi who went leaner and leaner owing to the administration of the city. He thinks that the entire responsibility of running the Government rests on him. The Government is irresponsible. It prepares the budget. It is not being prepared according to our wishes. Had the budget been prepared according to our wishes, of course we would have been held responsible for a substitute revenue. I can point out certain heads out of which this revenue can be paid, but as we have no right to do so, it rests on the Government to find out measures in order to obtain this revenue and we should not bother ourselves on that account. The next point is that the report has not been before us for a sufficient time. I do not know if this small report requires more than a

couple of hours to go through. I do not know who are those honourable gentlemen here who would require three or four months to consider over the report. When a man of my knowledge—an illiterate man as I am—went through the report in two hours and found out where the shoe pinched, I think everyone here would have been able to do so in much shorter time. Now regarding illicit distillation, this is a thing which I cannot believe and I do not believe. This is a regular game to throw dust in our eyes. This is a show to make a mountain of an mole-hill. In 1915-16 there were as many as 973 cases of illicit distillation. In 1921-22 there was a decrease in the cases and the number went down to 682. In 1922-23 there were 1,200 cases. Of course when the excise department saw that the revenue was decreasing simply because the people were becoming more sober and temperate—which was due to our propaganda and not to the policy of the Government—they began to raise a hue and cry and sent orders to the inspectors asking them why the revenue was decreasing and the result was that the number of cases rose to 1,200 in 1922-23. An honourable member says “No”; but, Sir, if I am placed at the head of the department, I can show very easily that the number of cases of illicit distillation has risen to 2,400. In the first place, the subordinate staff was accused of neglect and in the second place, there was the temptation of graded promotion and time-scale of pay which naturally put them in a position to find out cases which were not really of illicit distillation. Now, coming to the problem of abstinence I would refer the honourable members to the speech of the Hon’ble Minister. We find from his speech published in the report.—I do not know what his speech will be now—that he was very cautious.. He was always talking of “temperance” and “temperance” all round. He never uttered a single word about “abstinence.” It means that he thinks abstinence nothing quite different from temperance. But, as far as I know, temperance is something quite different from abstinence. Temperance means moderation and it practically comes to this that “Drink we must, but drink moderately.”

روز پیتا نہیں پی لیتا ہوں ڈھے ڈھے * وہ بی بی تہوڑی سی مڑہ منہہ کا بدلنے کے لیے

Thus, his whole aim is not prohibition but moderation, viz., you should drink but not in such a manner that it might hurt you somehow or other. Sir, it is for these reasons that we want from the Hon’ble Minister a clear declaration on his point. In the end I would tell the Hon’ble Minister that it is not the Executive Councillorship, it is not the Ministership that is remembered afterwards, what will be remembered afterwards will be his actions. Perhaps, I shall be proud of the year in which I would be a member of the Legislative Council and when this measure would be passed. We know and believe that we are not so powerful as the Hon’ble Minister is in this House at the present moment—we know that our resolution will be defeated and I am confident about that—

(Several voices of “no, no.”)

Babu Bhagwati Sahai Bedar : All right. I will accept your amendment and let us hope that it will not be defeated, but I would like to

[Babu Bhagwati Sahai Bedar.]

declare our helplessness—the helplessness of a minority—in striving against the continuance to this vice and to this end I would say :

ساتی کو دکھاتا ہوں حال اپنا فقیرانہ * توٹی ہوئی بوتل ہی بیوٹا ہوا پیمانہ
Sir, we are only 23 but we shall stick to our resolution, fight for it and believe that since *a'anat* (help) is also a sin in the Muhammadan religion, the Muhammadans will not vote against the resolution but will assist us in forcing the hands of the Hon'ble Minister to accept the view of the nation. I would recite a couplet more and then I shall finish :—

ہو چھا وزیر صنعت و حرفت سے ایک دن
کہیئے جناب آپ کے یہ کیسے طور ہیں
پہیزگار دختر (ز) ایتہدا سے تھی
اب کس لیئے حضور کے یہ زہر غور ہیں
اُس مذہب لگی کو دیجئے سرکار اب طلاق
کس واسطے نکاحی پتہ یہ جبر و جور ہیں
کہنے لگے کہ ہم تو ابھی چھوڑ دیں مگر
مس دائرگی کے نقش میسرے دلہ اور ہیں
بیدار کیا کہیں یہ سیاست ہی مغربی

کھانے کے دانت اور دکھانے کے اور ہیں

The Council here adjourned for lunch.

After the adjournment the Deputy President took the Chair.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I hope honourable members of this House will kindly excuse me if I say that it was not very kind on the part of the mover to have brought this resolution at this stage when we had no time to consider the recommendations of the Excise Conference. It may be said that there was ample time—in fact it has been said to me privately that there was ample time at the disposal of the Government—to have gone through those recommendations, but I would respectfully beg to say that it is not so. I do not remember the exact date, but I remember that it was after my recovery from illness that we received that report. Perhaps it was in the third week of February. Now, February and March are the two months in which no member of the Government or Secretary has got any spare time to do anything but the budget. Specially in the excise department, as honourable members are aware, the gentleman who is acting as Secretary is our Finance Secretary and if he is more overworked in any period than any other throughout the year, it is the months of February and March. He had no time to do anything but to make his budget. Besides this, honourable members are aware that we are having a continuous session from the 25th February except a few days' relief during the *Holi* and *Shab-i-barat* holidays and from morning till evening we are always attending the Council here. That is enough to show that during the whole of last month there was no time for anybody to go into the recommendations and to decide how to work them out. I think it is enough to prove that it is not a lame excuse on the part of the Government that we had no time, and in fact we had no time to go through the recommendations.

Now, coming to the resolution, it asks that Government should declare that the policy of the Government is abstinence. I am quite at one with the mover that the ultimate goal of the Government's policy is abstinence. We have been always trying for temperance and logically there is nothing which is more likely to end in abstinence than temperance. Therefore we can say and rightly say that our goal is to reach abstinence as soon as we possibly can.

Now, the resolution further recommends that we should accept the recommendations of the Excise Conference immediately. I beg to say, Sir, that I have seen them and have been through them hurriedly and in fact I like many of them, but it is impossible for me to give such an assurance at this moment without fully considering the proposals. Besides, to be just and fair to the members of the Government I think it is necessary for honourable members of this House to let us issue a resolution on the recommendations of the conference. After all, we are responsible to the members of this House for the department. Are we to have no say in the management of the departments, are we to administer them blindly? I do not think that this is the wish of the honourable members of this House. I think they will recognize the justice of my claim and they should give us time. After all the Bombay Government took a long time over the consideration of the recommendations of the Excise Committee before they issued their resolution. Let us issue our resolution and if the honourable members find that that resolution is not according to the wishes of this House, then of course the honourable members of this House will be free to bring any resolution or motion, whatever they like, before this House to force the hands of the Government, but to force the hands of the Government before we have issued our own resolution would not, I think, be right and fair on the part of the honourable members of this House.

Now, I will give another reason why honourable members need not support this resolution if it is pressed to a division. First of all I hope that in view of all these assurances the honourable mover will see his way to withdraw the resolution. As I said, so far as the aim is concerned, we agree with the honourable members of this House. Now as far as the working is concerned, we are proceeding in the same direction as has been suggested by honourable members of this House. Honourable members will kindly note that during the year 1923-24 there were 7,861 shops. By the end of the current year we hope that the approximate number will be 7,117. Also they will be pleased to note that in 1922-23 the consumption of country liquor was 7,50,364 gallons, the consumption of opium was 29,393 seers, the consumption of *charas* was 37,913 seers, of *ganja* 12,448 seers and of *bhang* 1,30,629 seers. In the year 1923-24 it was as follows :—

Country spirit	..	..	..	..	6,82,333 gallons
Opium	..	..	..	..	24,128 seers.
<i>Charas</i>	..	..	..	..	37,524 do.
<i>Ganja</i>	..	..	..	..	7,963 do.
<i>Bhang</i>	..	..	..	..	1,20,010 do.

[The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.]

This is quite enough to show that there is a reduction in the number of shops as well as a decrease in consumption. So far as the policy of the Government is concerned, so far as the movement in the right direction is concerned, we are moving in the right direction. The number of shops is decreasing, temperance is increasing, and less and less consumption is the result of our policy. There is therefore, no cause for any honourable members of this House to hurry the thing. Had the position been the reverse of what it is, had consumption been increasing or had the Government for the sake of revenue been trying to get the consumption increased I would have been able to understand the motive of the mover in bringing this resolution at this moment, but when they know that consumption is decreasing and shops are getting less and less day by day, there is no occasion for honourable members to try to force the hands of the Government at this moment, specially when we have definitely said that our ultimate goal is abstinence and that we want to achieve that goal.

Sir, this department has always been looked upon by the non-official members of this House with a bit of suspicion and this was the reason why we summoned a conference on which every party of this House was strongly represented. We have laid all our cards on the table and have nothing up our sleeves. It was but natural that I was expecting such members of the conference as are also members of this honourable House to come to our rescue and to help us but when I find today a sullen silence amongst them except Hafiz Hidayat Husain and when they did not come forward to help us, I would only say :

ہمیں جن سے اُمیدِ رحم تھی او بختِ خواریدہ
دھی ہم کو ستاتے ہیں شریکِ آسمان ہوکر

Rai Bahadur Thakur Mashal Singh: I think that after listening to the assurances given by the Hon'ble Minister, my honourable friend, Mr. Mukandi Lal, will see his way to withdraw his resolution. Well, you may say "no," or "emphatically no," but I will say that after receiving this assurance from the Hon'ble Minister that he is now for the policy of total abstinence it is an improvement on the policy hitherto pursued. Up to this time the policy was "the maximum of revenue and minimum of consumption." Now, the policy is total abstinence. Having received this assurance, now remains only the part of the resolution that recommends that the recommendations of the Excise Conference be given effect to at once. The Hon'ble Minister says that he has not been able to go through the report in detail and not been able to formulate any views on the recommendations of the conference. Give him time and he will consider them more sympathetically and will try his best to adopt most of the recommendations made by the committee. Even having got this assurance if it is insisted that the resolution be pressed, well, let it be pressed and we will see the result. We are not going to harass the Hon'ble Minister simply because he has not given effect to it at once. I think it is the parliamentary procedure that when good assurances are given it is our business to withdraw. As to the fact that the Hon'ble Minister will not give effect to this assurance, I can say that if he in any way deviates from his assurance or does not come forward to give effect to local option we will try and we will bring the whole pressure of this House to bear on him to carry out those recommendations. We are not so slow, we are not going to forgive him if the recommendations

are not carried out in a greater degree. So in these circumstances like reasonable men, we should try to come to terms and we should withdraw this resolution.

Pandit Govind Ballabh Pant: As one of those from whom the Hon'ble Minister has expected some little sympathy as I too happen to be one of the members of the Excise conference—he has criticized me for not having spoken before this stage. I had been looking forward eagerly to what he had to say in this connection, expecting that it would not be necessary for me to encroach upon the time of this House. The statement of the Hon'ble Minister to me unfortunately does not seem to be so very satisfactory as it has appeared to the honourable member for Har-doi. First of all the Hon'ble Minister says that our policy is the policy of abstinence—it has been our policy and will continue to be our policy. Well, that comes to this that he does not consider that any change is necessary in the present policy that has been in vogue so far. Well, if that be the case, then it comes to this that the Excise Conference has gone out of its way altogether in asking the Minister to declare that total abstinence is the aim of excise policy. If the policy of temperance is identical with the policy of total abstinence, then I submit there is absolutely nothing that is being done in pursuance of the recommendations of the conference or of the resolution that we have moved here today. The Hon'ble Minister only says this that we have never had any policy except the policy of total abstinence. So far we have been using the word temperance, if you want you may use the word abstinence. So far as the substantial policy is concerned it has been so and it will continue to be so. I differ from that view. We hold that so far total abstinence has not been the aim of excise policy, and those who have looked at the literature on the subject know full well that the policy up to the year 1922 as declared by the Government was one of maximum revenue and minimum consumption. And in the year 1922 they added a rider to this and said that while our policy is one of minimum consumption, we consider that the State is entitled to all the revenues that it can derive from these sources subject to this policy of minimum consumption. Well, the policy of minimum consumption is entirely different from the policy of total abstinence or total prohibition. What we want is that that policy should be extinguished

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I never said minimum consumption.

Pandit Govind Ballabh Pant: I never put those words in your mouth.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : You have put a good many words in my mouth which I never used.

Pandit Govind Ballabh Pant : I said that that was the policy of the Government, and when the Hon'ble Minister says that it is the policy and has been the policy and will continue to be the policy, he only asks us to accept a continuity of the policy that has been in vogue so far, and to that extent it absolutely disappoints us. That was the idea in the minds of one of the honourable members of this House when he put the question. "Well, you want total abstinence, how are you going to make up for the deficit in revenue that must ensue therefrom?" So that the members of this House have never regarded the policy that has been in vogue so far as a policy of

[Pandit Govind Ballabh Pant.]

total abstinence. They have regarded it as the policy which has been keeping its two eyes on two things at one and the same time, and one of these things has been the acquisition of funds for the purpose of running other departments. Well, Sir, so the question has been put, how will you make up the deficit? I say, Sir, there is an easy way out of it, and I can suggest a number of means for that. I say issue licences and impose taxes on moderate thieves, issue licences and impose a tax on moderate cut-throats, issue licences and impose a tax on those who will assault people, but only skin deep, issue licences and impose a tax on burglary, but only on petty pilfering. If you do this you will be distributing the sources of revenue among all those people who will be addicted to one or other of these vices and not exploiting the vice of one particular class only. So sources should be found out and sources which will be on a uniform standard and uniform scale with that of excise revenue. The statement has been made by the Excise Conference in the opening paragraph where it says "In the second place"—in paragraph 5—"we consider that the economic loss caused both to the State and to large sections of the population by expenditure of money on drink, drugs and opium is a matter of prime importance. We do not approve of a statement of the aims of excise policy which refers, however distantly, to the promotion of excise revenue while omitting all reference to the moral and economic loss resulting from indulgence in intoxicants." A statement like that proceeding from any honourable member leads to the suspicion that the Government desires to perpetuate the habit of indulgence in drugs and intoxicants with a view to get money by exploiting the vice of the weak class in order to run other departments of the State. That, I hope, is not the avowed expression of the Government's own policy. They do not mean to say that so long as we are not given money from other sources we will continue to exploit the vice of these people because we want money. If that be the case, then I should like to have a candid statement on that point. Does Government really mean that because it wants money therefore people should continue to drink, because it wants money therefore people should continue to make use of drugs? If that be the policy of the Government, then we should all know that the day of deliverance can come only when the other departments can get money from other sources or when other departments cease to work. Under these circumstances the position will be more difficult than one is inclined to hold it to be on the present occasion.

The Hon'ble Minister has referred to figures showing that there has been a decrease in the number of shops and in the amount of consumption. That is correct. But if you look at the figures for the Punjab and Bengal you will find that the number of shops in this province is almost five times as large as those in the Punjab and more than double perhaps of those in Bengal. So comparisons need not necessarily mislead us. I may also say that the reduction of shops did not commence only in 1923; it has been going on in fact for the last 15 years. Some time ago the number of shops was almost 50 per cent. more than what it is today. Before that there was a time when probably it was double that number. But, in spite of that, those who are addicted to the vice continue to get the drinks and drugs which perpetuate the vice, and those who are not addicted to it get these articles next door and thus contract the habit which they afterwards are unable to shake off.

The fact that there has been a reduction does not carry us much further. We accept that in 1921, in pursuance of the recommendations of the Excise Committee which was then appointed, some steps were adopted which led to a reduction in the quantity of intoxicants and drugs that were being consumed in the province; but we appeal to the Hon'ble Minister to put one more stone in this edifice and go further and make the open declaration that we stand for total abstinence and to adopt certain measures which will take us farther in the course that we have chalked out for ourselves. If that is not the case, if this conference was only called to enable the Hon'ble Minister to revise certain of the recommendations of the 1921 committee, then it has certainly served absolutely no useful purpose so far as temperance is concerned.

Sir, we are told that the Hon'ble Minister has had no time to look at the report of the conference. I am prepared to admit that the Hon'ble Minister is very busy; I am prepared to admit that the Hon'ble Minister is busy, especially during the budget session; and his Secretary, who happens to be also the Secretary of the Excise Conference, could not have had much time also. In fact, when I went to the Excise Conference it was in my mind that I should move a resolution to the effect that the Excise Secretary should be a different person from the Finance Secretary, for Excise and Finance could not go together. But seeing the way in which Mr. Blunt behaved there I thought that the cause of temperance could not have a better Secretary. But when I see that he has not taken care to acquaint the Hon'ble Minister with the resolutions of this conference, that he has not yet inspired him to such an extent that he could come forward and say that he would accept the recommendations of this conference, I feel that his faith in temperance is tempered, at least during the budget session, by financial considerations.

After all, what is the report of the Excise Conference? Look at the specific recommendations. You will find that the first one relates to the aims of excise policy. The next one relates to rates of excise duty. It only maintains the rates in force so far. The next one relates to the surcharge system of licence fees. There is no change in this. The next one is about the distribution of excise shops. It does not enunciate any new policy. The next one is about the hours of sale. It again confirms the practice in vogue. The sealed bottle system, which is the next one, is a very minor recommendation, and I know the department is very keen to get it. The next one is about the Opium department and poppy cultivation. It is not a controversial measure; only a recommendation has to be made to the Opium department. So that, if you look at these, you will find that there are only three or four recommendations where any change has been suggested—for instance, the one relating to the formation of a Provincial Excise Board. Supposing I come forward with a resolution today, and suppose my resolution is that action may be taken in a particular way. What is the answer of the Hon'ble Minister to this resolution. There are not any complicated matters in it. We are moving resolutions every day. We expect an answer aye or no so far to our resolutions. Let us assume for a moment that there was no conference, but that these are certain suggestions made by my friend Mr. Mukandi Lal as to the action to be taken in the Excise department. Is it not open to the Hon'ble

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Minister to say "I accept" or "I do not accept" them? Would he have said "There has been a conference. I have not considered its report yet?" Because of the conference he cannot make that a justification for himself.

The Deputy President: The honourable member has exceeded his time limit.

Pandit Govind Ballabh Pant: Only a few minutes more, Sir—These Licensing Boards have been there already and we are only asking for their expansion. We have only accepted the principle of local option. We ask the Hon'ble Minister and the Government to frame their scheme for the expansion, application and introduction of this principle. As to education, I say that the local bodies should be empowered to carry on temperance propaganda. These are the principal recommendations of the Excise Conference. I do not think there is a single recommendation in respect of which any member of this House does not agree and about which the Hon'ble Minister can say "I do not accept it." What is there to examine about it? After all the report of the Reforms Inquiry Committee with all its annexures covers more than 778 pages and we are going to express our opinion on that delicate question tomorrow. After all, is the report of the Excise Conference a more complicated affair? If you are going to give your opinion on a question which demands a study of a much larger amount of literature connected with questions of much finer character, I do not think it is a proper justification to say that you cannot express your opinion on the simple recommendations which have emanated from the Excise Conference. Who are the constituents of this conference? There was my friend Mr. Saifi, my friend Mr. Mirza, my friend Hafiz Hidayat Husain, Pandit Brijnandan Prasad Misra, Thakur Mashal Singh and myself. So that all parties and shades of opinion in this Council were represented in that conference. We arrived at certain unanimous conclusions. Not a single one among us differed so far as the members of this House are concerned from the recommendations that have been made. We went through the whole of the subject in four days, between the 8th and 11th December. We formulated our decision between the 8th and 11th December. The Hon'ble Minister was occupying a room next to ours. There was only a wall between him and us.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I could not have overheard.

Pandit Govind Ballabh Pant: I do not say that. I hope he had some interest in the matter. Anyway, that was the state of things. The Excise Secretary was there. He was meeting the Minister almost every day. After all, I put it to the honourable members whether the Hon'ble Minister should not have taken a little care to look at it and to see whether these recommendations are such that they cannot accept any one of them. Besides, by adopting this resolution we are simply strengthening the hands of the Hon'ble Minister. It is not a law that we are framing. So far as this House is concerned we agree with the views of the individuals who formed that conference and who have submitted these recommendations. Well, I do not see what is the difficulty about it. I do not see how the Hon'ble Minister will be embarrassed by accepting this request of ours. Has the Hon'ble Minister in fact not considered this report? He has added to the number of Inspectors by ten. He

has sanctioned a time-scale of pay for the excise staff. Well, the recommendation of the conference was that when the Provincial Excise Board was formed, then this question would be brought before that Board whether it was necessary to add to the number of excise inspectors. If the Board sanctioned it, then their number would be increased. But that recommendation of the Excise Conference has already been adopted by the Hon'ble Minister. The other recommendation about the time-scale has already been adopted. So that whenever it concerns the department it has not been very difficult for them to re-assure the Hon'ble Minister as to the propriety of the attitude taken up by the conference. But where the question of temperance is concerned there it looms large as a big mountain between him and the vision which we all have in view. The question of excise is a very simple one; the recommendations are most simple; they are, in fact, more by nature of a compromise than those which have emanated from individuals. I hope he will reconsider the position and will accept this resolution.

Nawab Muhammad Yusuf: I am sure there is no section of the House which does not sympathize with the object of the resolution moved by my friend Mr. Mukandi Lal, but, Sir, I am bound to say that the honourable mover has not been very fair to the Hon'ble Minister by bringing forward this motion so soon. It is to my mind rather premature. He might have brought this resolution at a later session. He might have given him an opportunity to think over the recommendations of the Excise Conference, to form his own opinion upon them, to issue resolutions and to issue communiqués, and then criticize his policy, if it did not in any way conform to the wishes of this House. The Hon'ble Minister has made it perfectly clear to the House that when the report came out he was too busy, and later on the Excise Secretary has been too busy with the budget, and hence attention could not be paid to this affair. To give effect to a certain scheme is no joke. The scheme has got to be considered in all its pros and cons, in all its bearings, and a certain policy framed to give effect to it, and it cannot be done in a day. I think it will be recognized by the House that the Hon'ble Minister would not be slow in giving effect to the recommendations of the Excise Conference and will do everything in his power to meet the wishes of the House so far as the excise policy of the Government is concerned. He has said in unmistakable terms, and as strongly and as clearly as any Minister could, that henceforward the policy of the Government would be not that of maximum revenue and minimum consumption, but that of total abstinence. I say that the primary object of this resolution has been completely met by this feeling and reassuring declaration which has been given by the Hon'ble Minister. When the primary object of this resolution is met, then I fail to see why there should be a particular hurry to force the hands of the Hon'ble Minister and tell him that he must carry out the recommendations of the Excise Conference without giving a thought to it, without having chalked out a plan to give to these recommendations, and without finding out really as to what recommendations are of greater import than those on which there may be some division of opinion. It has been said by the honourable Leader of the Opposition that the statement made by the Hon'ble Minister is unsatisfactory. I am sorry that he feels that it is unsatisfactory. I think he has made the most convincing, most feeling and most reassuring statement that could be made. He has made

[Nawab Muhammad Yusuf.]

it perfectly clear to the House that in deference to the wishes of the House and with a view to meet the spirit of the resolution, that the policy of the Government henceforward would be that of total abstinence. When the policy is accepted, naturally it follows that necessary steps will be taken to give effect to it, but it does not mean that he should be called upon now—that his hands should be forced just now—to give effect to it without having given a thought to the matter and without having framed a definite policy in regard to giving effect to these recommendations.

Then it has been said that by pressing this resolution we shall be really strengthening the hands of the Hon'ble Minister. There I do join issue with my honourable friend; we shall not be strengthening his hands there; we shall be really showing discourtesy if we press this motion, and we shall be simply showing to the Hon'ble Minister that we shut our eyes to his difficulties. While the Hon'ble Minister on the one hand goes to the full length of satisfying our aspirations, satisfying the primary wish that is embodied in this resolution, namely, the policy of total abstinence, we should feel like embarrassing him and telling him that he should give effect to the recommendations of the Excise Committee blindly without giving any thought or any serious consideration to the matter.

"It has been said again:—Why did not the Hon'ble Minister say that all the suggestions brought forward in the speech of the honourable mover were not acceptable to the Hon'ble Minister?" Has the Hon'ble Minister said that he does not accept it? He has not said so. The issue that this resolution raises before the House is as to whether these recommendations of the Excise Committee have got to be given effect to immediately or not. That is the point before the House. We find that the Hon'ble Minister has given sufficient reasons why he has not been able to give sufficient attention to this. He has given a clear assurance that after initiating his policy he will do his level best to give effect to the recommendations of the Excise Conference and will accordingly shape his policy so that it will be acceptable to the whole House.

I need not again repeat the argument which has been brought forward, and that is that in Bombay the Government had six months to think out its excise policy on the recommendation made and to think out a plan which would meet the wishes of the House. I feel that it would be highly discourteous on the part of the honourable mover and of the Swaraj party to press this motion to a division, and I hope therefore they will see their way to withdraw this motion.

Lala Mathura Prasad Mehrotra : I have been patiently hearing the speeches of the honourable members for the last three hours and the conclusion at which I have arrived at is this, that everybody is in favour of the abolition of this evil. But, Sir, there is a difference of opinion upon one and only one point. The resolution, as has been dissected by my honourable friend Mr. Bedar, has got three parts. There is no difference of opinion so far as the first two parts are concerned, it is over the third part that we differ. So, if you permit me, Sir, I may move an amendment to this resolution which may be acceptable to the whole House. The amendment that I want to make to this

motion is this. I want to delete the word "immediately" in the fifth line. Then, Sir, I want to delete the last three lines beginning "and to adopt measures including local option and rationing and registration for the speedy attainment of the said object."

The Deputy President : No notice of this amendment has been given, and I shall ask the consent of the House whether there is any objection to this amendment being moved. Since there is no objection the amendment may be moved.

Lala Mathura Prasad Mehrotra : I am indeed very grateful to the House that they have given me an opportunity to move this amendment, and I hope this House will accept the resolution as amended by me. There is no doubt that the time at our disposal for the consideration of the report was very short. We were too busy with the budget when the report was presented to us, and it was only this morning that I went through it. It is indeed too much to expect the Hon'ble Minister to arrive at conclusions on the recommendations that have been made by the Excise Conference so soon. As my amendment has been allowed by the House, I hope the resolution as amended by me will be accepted by the honourable members.

Mr. E. A. H. Blunt : I admit that after the very friendly relations that we have had in the Excise Conference I was filled with disappointment by what the honourable member for Naini Tal said. We sat together all through the conference, we were in constant consultation, and I do not think there were many occasions on which there was any important difference between us. Apparently he considers that differences have now arisen. Consequently my first object is to dissipate his suspicions. He suggested that, though as Excise Secretary in the conference I showed a predilection for abstinence, as Finance Secretary I have entirely changed my views and am thinking too much of the revenue side. In fact he takes me for a sort of Dr. Jekyll and Mr. Hyde—Dr. Jekyll in the Excise Conference and Mr. Hyde during the Budget session. I wish to make it as plain as I possibly can that that suspicion is wholly unfounded—not only as regards myself but as regards the entire Finance department. Up to the year 1922 the declared policy of the Government was, as the honourable member has said, the maximum of revenue with the minimum of consumption, which I have always regarded as an unfortunate phrase because it said exactly what it did not mean. After the Excise Committee had met, a resolution was issued by the former Minister in which he declared his policy to be as follows.—I am quoting from memory :—"The furtherance of temperance by all legitimate means without any reference whatever to revenue." That is the meaning of the phrase which he used, though I am not sure of the exact words. I am sure of the meaning because I helped him to select the phraseology. Consequently since 1922 questions of revenue have not entered into the excise policy of the Government at all either under the auspices of the present Hon'ble Minister or of his predecessor. I can also vouch for the fact that they have not entered into the policy of the Finance department. As regards this conference, the Hon'ble Finance Member knew nothing whatever about the conference, beyond the fact that it was going to be held. The only time he saw the file was when he was asked to allow a certain sum of money for the travelling allowance of the non-official members; and I believe

[Mr. E. A. H. Blunt.]

that to this day he has not read the report. He, as Finance Member, and I, as Finance Secretary, had absolutely nothing to do in our official capacity with this Excise Conference or any of its results. We are quite prepared on the financial side to take the Hon'ble Minister's policy; in fact, we could not do anything else under the constitution; but we have not only accepted it, but accepted it willingly. The question of revenue, in short, is simply not there. I now come to the question of "abstinence" and "temperance." The honourable member has, I think, certainly misunderstood what the Hon'ble Minister said. He seems to infer from the Hon'ble Minister's speech that the Hon'ble Minister considers furtherance of temperance and total abstinence to be the same thing. That is quite wrong. What I understood the Hon'ble Minister to say and what from previous discussions I know that he meant is that total abstinence is the logical conclusion of the furtherance of temperance; that the latter if carried far enough is bound to produce the former. He is prepared to state as his policy what was in fact the goal of Mr. Chintamani's declared policy. This is what I understood the Hon'ble Minister to mean; he will correct me if I am wrong, but I am sure that I am not wrong.

The honourable member then blamed the Government for not having made up its mind about the resolutions of the Excise Conference. Well, the honourable member is a fair-minded man, and in fact I know of few men who are more fair-minded than he. He will admit that during this month we have been worked off our feet. In regard to this case, moreover, before it can be submitted to the Hon'ble Minister, I personally have got to digest it. I am here in the Council from 10 o'clock in the morning till 5 o'clock in the evening. Then I go home, have tea and again work till midnight, for I have to finish the work that I should have done in the day. In the circumstances the Council will realize that it is impossible for me to tackle a job of this magnitude until this session is over. Further, even if it had been possible for me to prepare the case it would have been impossible for the Hon'ble Minister to consider it, because he too must be in Council all day, and he is in charge of many other departments besides excise. The honourable members of this Council perhaps do not know that it is the duty of the Secretary to put up cases before his Hon'ble Member or Minister in such a form that they have nothing more to read save what the Secretary has written. How was I in such circumstances to get this case ready for the Hon'ble Minister before today?

Coming to the resolutions of the conference, I invite attention first to the question of the Licensing Boards. I do not know how far the Council has studied the report of the Excise Conference, but certainly the proposals made by them on this subject involve a complete alteration of the present system of Licensing Boards. The main proposal is that in future they should be tacked on to the district and municipal boards. Before we come to any decision in the matter, we have got to consult the district and municipal boards. Then, incidentally, we have also got to obtain the consent of the Hon'ble Minister of Local Self-Government. All that cannot be done "immediately," or in a week. It requires time, which, as I have already stated times out of number, was not at our disposal.

Next comes the question of local option. This matter I have studied with some assiduity during the last few months, and I may say that I have no objection to it in principle. Its principle is perfectly sound, but its practice is quite another matter. The honourable member for Garhwal mentioned the places where it was in force, but he omitted to mention whether it was a success anywhere. As a matter of fact, it is a success nowhere. The reason for its failure is, as I explained to him privately, that no system of local option has ever yet covered the entire ground. For instance, it is not a question of giving one or two options, but of four or five options. The Council will readily understand that for a man like myself, who is neither a lawyer nor an expert, it will be very difficult to draw up a suitable scheme, and that it would be useless even to attempt to do it in a few days. It will take months.

There is a further point, and it is this. Honourable members do not seem to have realized that Licence Boards and local options are connected. Are you going to have one or the other, or both? You cannot have both together in their present shape: you will have to modify both and then dovetail them one into the other.

Then there are many other resolutions. Some certainly amount merely to a recommendation of no change; but take, for instance, this question of sealed bottles? Where are the bottles? Before Government could accept this resolution it must find the bottles. Take again the question of habitual traffic in dangerous drugs. That is to be dealt with under a Dangerous Drugs Act. Where is the Act? Here is another heavy piece of work before the resolution can be accepted.

I hope that I have said enough to convince the House that we have had no time, so far, to give to the report of the Excise Conference the consideration which we desire and mean to give it, and which it certainly deserves.

Dr. Zia ud-din Ahmad: May I request you to put the resolution in two parts, the first dealing with the declared policy of the Government and the second dealing with the recommendations of the Excise Conference?

Khan Bahadur Shaikh Masud uz-Zaman: Is it open to an honourable member to make an amendment at this stage?

Khan Bahadur Mr. Fazl-ur-Rahman Khan: I rise to a point of order. I think the rules of this Council allow the members to propose any amendment they like. If objection is taken to any amendment, it will not be taken into consideration. So, if my honourable friend wants to put an amendment, he can certainly do so, and in case it is objected to, it will not be taken into consideration by the Council. May I have your ruling on this point? If any honourable member objects to that, the amendment cannot be taken into consideration.

Pandit Nanak Chand: May I rise to a point of order in this connection. Is it open to any member of this House to propose an amendment after the motion for closure has been accepted by the chair?

The Deputy President: It is too late to make any amendment now.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I was in fact very anxious that the leader of the Swarajist party should speak first so that I may be able to give a reply, but like an experienced wrestler he waited and waited till I had spoken. He has tried to interpret my words in a way in which I never used them. I now wish to say a few words to explain myself. As far as the question of policy and principle is concerned, the policy of the Government is exactly the same as is recommended in this resolution, that is the ultimate goal is total abstinence. Now where we differ is that we should give effect to every recommendation of the Excise Conference at once, and not only this, but it goes further saying that registration and rationing should also be adopted. This is where the difference lies. I wish to make it clear that if this resolution be put to a division then the division will not be on the point whether the policy of the Government is abstinence or not. Total abstinence is the ultimate goal of the Government. The division would only be on the point whether the Government should or should not be forced to accept the recommendations of the conference without giving any consideration to them.

Mr. Mukandi Lal : I think that it is required on my part to clear a few points. They have rather confused the issue again. The last point I should like to take first. The Hon'ble Minister thinks that we are forcing him to carry out every proposal or recommendation of the Excise Conference. But there is nothing of that sort. These are the words of my resolution :—

“ That this Council recommends to the Government to accept and declare that total abstinence is the aim and object of excise policy and to give effect immediately to the proposals of the Excise Conference with a view to achieve this end and to adopt measures, including local option and rationing and registration, for the speedy attainment of the said object.” My point is that this resolution never demanded that every recommendation of the Excise Conference should be accepted and enforced. Only such recommendations should be carried out as lead to the object of this resolution, that is to say, total abstinence. When the Government is of the same opinion as we are, that the policy of the Government is total abstinence, then there is no need for an amendment. So far as we are concerned we proved reasonable, in that we have not objected to the amendment which has been proposed, because our intentions are not to put the Excise department in an awkward position or to force its hands. As a matter of fact, motives have been attributed and it has been suggested that we are unkind to the Minister. Nothing of the sort. As a matter of fact, if the excise demand had been discussed in this Council, most of the points that have been discussed today would have been discussed then. As a matter of fact, I am prepared to admit that there would have been no necessity of putting this motion before the House until we had seen what the Government wanted to do, but we have been forced to bring this motion forward, because we do not know Government's mind. Secondly, you must remember that we have left nearly behind us two years of the life of this Council, and if we do not urge on the Government to declare their policy on this question, which, I consider, is the most important question, when are we to do so(?) How are we to face the electorate.

Raja Jagannath Bakhsh Singh : It has already been declared.

Mr. Mukandi Lal : Now, Sir, the Hon'ble Minister has said that the policy of the Government is the policy of total abstinence, though unfortunately he qualified the declaration by the words that even in the past they followed the policy of total abstinence. Then he gave some figures showing that so many shops had been closed, which means that they have been carrying on for the past two or three years the policy of total abstinence. If the Hon'ble Minister had said that so far it did not matter what the policy of the Government had been, but now the policy was of total abstinence and all methods would be adopted as might be necessary to lead to that end, I would have been satisfied. What we find is that he simply tells us that they have decreased the number of shops, but he did not say why the number of foreign liquor shops had increased. The number of foreign liquor shops in the case of which the liquor was to be consumed on the premises was 120 in 1920, but we find that in 1924 it was 141. Mark this increase. I will give a few more figures which will also show that there is an increase in the number of foreign liquor shops. In 1920 there were 50 foreign liquor retail shops, but in 1924 the number went up to 69. What you give with one hand, you are taking it with the other. If you reduce the number of the country liquor shops and if you increase the number of the foreign liquor shops, it leads to the same result. I will now give you a concrete example about my own district. I attended a meeting of the excise board where there was a proposal to be considered that a new foreign liquor shop should be opened at a place where there was none before. I was in a minority. The Sub-divisional Officer was the Chairman. Two or three men who liked the foreign liquor, they pressed for a new foreign liquor shop and got it passed. If the Government will continue to sit tight on this question, we do not know when the Government will be able to reach total abstinence. Even if Government accepted the policy of local option and rationing it would take at least 20 years to achieve that end. I would point out that our policy has not been to force the hands of anybody or to give trouble to anybody, but it is only with this laudable object that we are bound to force the hands of the Hon'ble Minister and the Excise department to see that they do not do what they want to do, but they must do what they ought to do and we want them to do; that is to say, that their policy should be so framed that it must ultimately lead to total abstinence. I hope, in view of my explanation and in view of the amendment proposed by Lala Mathura Prasad Mehrotra, this House will accept the resolution unanimously, and then the Hon'ble Minister will have a chance to come out and say that he justified the hopes that we had entertained of him.

The Deputy President : The original resolution was "that this Council recommends to the Government to accept and declare that total abstinence is the aim and object of excise policy and to give effect immediately to the proposals of the Excise Conference with a view to achieve this end and to adopt measures including local option and rationing and registration for the speedy attainment of the said object," since when an amendment has been proposed by Lala Mathura Prasad Mehrotra that the word "immediately" in the fifth line be deleted.

Khan Bahadur Maulvi Masud-uz-Zaman : May I ask if the amendment has been discussed? We do not know the attitude of the Government about that amendment.

The Deputy President : The amendment was before the House and open to discussion and I think it has already been discussed.

The Hon'ble Lieutenant Nawab Muhammad Ahmad Sa'id Khan : The attitude of the Government in regard to this amendment is that we are ready to accept it in the form "that this Council recommends to the Government to accept and declare that total abstinence is the aim and object of excise policy and to give effect "as far as possible." If those words "as far as possible" are added, we will accept it.

Pandit Nanak Chand : I rise to a point of order. The position as explained by the Hon'ble Minister is that he wants at this stage to propose an amendment. I should like to have your ruling, Sir, whether that amendment after closure has been accepted and after the mover has replied to the discussion will be in order.

The Deputy President : This is an amendment of which the requisite notice was not given. The amendment is not in order. I suppose Pandit Nanak Chand objects to the amendment being moved and it cannot therefore be moved.

Kunwar Jagdish Prasad : Does the honourable member object?

Pandit Nanak Chand : I wanted a ruling from the Chair as a matter of constitutional practice.

The Deputy President : My opinion is that it cannot be moved after the closure has been accepted.

Dr. Zia-ud-din Ahmad : If the amendment is carried, then the original motion, as amended, will be before the House?

Khan Bahadur Munshi Fazl-ur-Rahman Khan : May I know, Sir, if you closed the debate on the original motion or on the amendment?

The Deputy President : On the original motion as well as the amendments.

Khan Bahadur Munshi Fazl-ur-Rahman Khan : If the discussion on the amendment is closed, I submit that we did not get any opportunity of discussing the amendment.

The Deputy President : I am only sorry that the honourable member did not rise earlier to take part in the discussion.

The question is that the word "immediately" in the fifth line of the resolution be deleted.

The question was put and the Council divided as below :—

Ayes (31)

Babu Narayan Prasad Arora.
Babu Sangam Lal.
Babu Mohan Lal Saksena.
Babu Damodar Das.
Babu Jai Narayan Chaudhri.
Babu Bhagwati Sahai Bedar.
Thakur Manjit Singh Rathor.
Rai Jagdish Prasad Sahib.
Pandit Nanak Chand.
Thakur Shib Narayan Singh.
Babu Nemi Saran.
Chaudhri Badan Singh.
Thakur Sadho Singh.
Pandit Brijnandan Prasad Misra.
Pandit Bhagwat Narayan Bhargava.

Pandit Jhanni Lal Pande.
Thakur Keshava Chandra Singh Chaudhri.
Pandit Sri Krishna Dutt Paliwal.
Babu Parsidh Narayan Anad.
Pandit Yajna Narayan Upadhya.
Bhaya Hanumat Prasad Singh.
Pandit Baijnath Misra.
Pandit Govind Ballabh Pant.
Pandit Hargovind Pant.
Mr. Mukandi Lal.
Babu Ram Chandra Sinha.
Babu Sita Ram.
Mr. Zahur Ahmad.
Maulvi Zahur-ud-din.
Dr. Shafa'at Ahmad Khan.

Lala Mathura Prasad Mehrotra.

Noes (45)

The Hon'ble Mr. S. P. O'Donnell.
 The Hon'ble Raja Sir Muhammad Ali
 Muhammad Khan, Khan Bahadur.
 The Hon'ble Lieut. Nawab Muhammad
 Ahmad Sa'id Khan.
 The Hon'ble Rai Rij shwar Bali.
 Mr. C. L. Alexander.
 Mr. E. A. H. Blunt.
 Kunwar Jagdish Prasad.
 Mr. G. B. F. Muir.
 Mr. A. C. Verrières.
 Mr. C. E. D. Peters.
 Mr. J. R. W. Bennett.
 Mr. S. H. Fremantle.
 Mr. R. Burn.
 Mr. B. J. K. Hallowes.
 Mr. C. M. King.
 Mr. F. F. R. Channer.
 Mr. A. D. Ashdown.
 Colonel A. W. R. Cochrane.
 Mr. A. H. Mackenzie.
 Mr. G. Clarke.
 Raja Bahadur Brij Narayan Rai.
 Chaudhri Sheoraj Singh.

Thakur Rajkumar Singh.
 Rai Bahadur Babu Ram Nath Bhargava.
 Lala Babu Lal.
 Lieut. Raja Durga Narayan Singh.
 Lieut. Raja Bahadur Hukm Tej Pratap
 Singh.
 Rai Bahadur Thakur Hanuman Singh.
 Kunwar Rajendra Singh.
 Rai Bahadur Thakur Mashai Singh.
 Kunwar Surendra Pratap Sahi.
 Mr. Muhammad Aslam Saifi.
 Rao Abdul Hamid Khan.
 Khan Bahadur Chaudhri Amir Hasan Khan.
 Dr. Zia-ud-din Ahmad.
 Khan Bahadur Shaikh Masul-ud-Zaman.
 Nawab Muhammad Yusuf.
 Saiyid Muhammad Ashiq Husain.
 Khan Bahadur Maulvi Fasih-ud-din.
 Khan Bahadur Maulvi Muhammad Fazl-ur-
 Rahman Khan.
 Khan Bahadur Hakim Mahbub Ali Khan.
 Mr. Ashiq Husain Mirza.
 Khan Bahadur Munshi Siddiq Ahmad.
 Lieut. Raja Shaikh Imtiaz Rasul Khan.

Raja Jagannath Bakhsh Singh.

Motion negatived.

The Deputy President : Another amendment to the original resolution has been proposed by Pandit Jhanni Lal Pande that in the seventh line between the words "end" and "and" the words "to strictly prohibit the increase in the number of shops" be added.

The question is that this amendment be made.

Motion negatived.

The Deputy President : Lala Mathura Prasad Mehrotra has proposed a second amendment to delete the words "and to adopt measures including local option and rationing and registration for the speedy attainment of the said object."

The question is that this amendment be made.

The question was put and the Council divided as below :—

Ayes (6)

Babu Jai Narayan Chaudhri.
 Rai Jagdish Prasad Sahib.
 Pandit Nanak Chand.

Bhaya Hanumat Prasad Singh.
 Pandit Bijnath Misra.
 Dr. Shafa'at Ahmad Khan.

Noes (46)

The Hon'ble Mr. S. P. O'Donnell.
 The Hon'ble Raja Sir Muhammad Ali
 Muhammad Khan, Khan Bahadur.
 The Hon'ble Lieut. Nawab Muhammad
 Ahmad Sa'id Khan.
 The Hon'ble Rai Rajeshwar Bali.
 Mr. C. L. Alexander.
 Mr. E. A. H. Blunt.
 Kunwar Jagdish Prasad.
 Mr. G. B. F. Muir.
 Mr. A. C. Verrières.
 Mr. C. E. D. Peters.
 Mr. J. R. W. Bennett.
 Mr. S. H. Fremantle.
 Mr. R. Burn.
 Mr. B. J. K. Hallowes.
 Mr. C. M. King.
 Mr. F. F. R. Channer.

Mr. A. D. Ashdown.
 Colonel A. W. R. Cochrane.
 Mr. A. H. Mackenzie.
 Mr. G. Clarke.
 Raja Bahadur Brij Narayan Rai.
 Chaudhri Sheoraj Singh
 Lala Babu Lal.
 Thakur Rajkumar Singh.
 Rai Bahadur Babu Ram Nath Bhargava.
 Lieut. Raja Durga Narayan Singh.
 Lieut. Raja Bahadur Hukm Tej Pratap
 Singh.
 Rai Bahadur Thakur Hanuman Singh.
 Kunwar Rajendra Singh.
 Rai Bahadur Thakur Mashai Singh.
 Kunwar Surendra Pratap Sahi.
 Rai Bahadur Babu Shankar Dayal.
 Mr. Muhammad Aslam Saifi.

Rao Abdul Hamid Khan.
 Khan Bahadur Chaudhri Amir Hasan
 Khan.
 Dr. Zia-ud-din Ahmad.
 Khan Bahadur Shaikh Masud-uz-Zaman.
 Nawab Muhammad Yusuf.
 Saiyid Muhammad Ashiq Husain.

Khan Bahadur Maulvi Fasib-ud-din.
 Khan Bahadur Maulvi Muhammad Fazl-
 ur-Rahman Khan.
 Khan Bahadur Hakim Mahbub Ali Khan.
 Mr. Ashiq Husain Mirza.
 Khan Bahadur Munshi Siddiq Ahmad.
 Lieut. Raja Shaikh Imtiaz Rasul Khan.

Raja Jagannath Bakhsh Singh.

Motion negatived.

Dr. Zia-ud-din Ahmad: I suggest that the resolution may be put in two parts separately. To the first part, viz., about the policy of the Government being total abstinence, we have all agreed, the Hon'ble Minister has agreed. . . .

Pandit Nanak Chand: May I rise to a point of order. I want to know whether it can be suggested at this stage as to how the resolution should be put.

The Deputy President: I would first like to hear what Dr. Zia-ud-din Ahmad has to say.

Dr. Zia-ud-din Ahmad: As to the first part of the resolution we have all agreed, the Government has agreed. There is difference of opinion only about the second part. The voting therefore is not on the point whether there should or should not be total abstinence—because we have all agreed to it—but on the point whether the recommendations of a certain conference should be immediately accepted without consideration by the Government.

The Deputy President: It must be remembered that there cannot be a discussion on a point of order, but I am prepared to hear the honourable member if he has got anything particular to bring to the notice of the House.

Pandit Nanak Chand: I do not want to raise a discussion on that point, but I just want to point out that the first part of the resolution was the part which would have remained if the amendment of Mr. Mehrotra had been accepted by the House but that has already been rejected by the House.

The Deputy President: The position appears to be this that this resolution was moved as a whole, it was discussed as a whole. It is not therefore open to me when I put the resolution before the House, to split it up, into two parts. However it appears that there is some sort of an understanding, in order to accommodate the honourable members of the House I am prepared to do this if honourable members agree that the course suggested by Dr. Zia-ud-din Ahmad may be adopted, that is to say, I want to leave this question to the House. If the honourable members desire that the resolution may be put into two parts, it will be so put or if they desire that it may be put as a whole, I will put it as a whole.

Pandit Govind Ballabh Pant: I beg to submit that it is a question entirely for your decision. We shall give our votes according to what you decide. So far as the House is concerned, we have no right to say that the resolution should be put in two parts. It is a point of order and the decision rests entirely with you.

The Deputy President: In the first instance and primarily it is for me to decide, but it is also open to me to consult the honourable members

of this House on any point I like. I want to consult the honourable members of the House whether they like the question to be put in two parts.

The question now is whether the resolution be put to the House in two parts.

Motion agreed to.

The Deputy President : I will now put the resolution in two parts.

The first part is—

“That this Council recommends to the Government to accept and declare that total abstinence is the aim and object of excise policy and to give effect immediately to the proposals of the Excise Conference with a view to achieve this end.”

Dr. Zia-ud-din Ahmad : My suggestion was that the first part should be as far as “excise policy.”

The Deputy President : This is also a question which I leave to the House.

The question is whether the resolution should be split up into two parts like this :—

“(1) That this Council recommends to the Government to accept and declare that total abstinence is the aim and object of excise policy.”

“(2) and to give effect immediately to the proposals of the Excise Conference with a view to achieve this end and to adopt measures including local option and rationing and registration for the speedy attainment of the said object.”

The question was put and the Council divided as below :—

Ayes (54).

The Hon'ble Mr. S. P. O'Donnell.
The Hon'ble Raja Sir Muhammad Ali
Muhammad Khan, Khan Bahadur.
The Hon'ble Lieut. Nawab Muhammad
Ahmad Sa'id Khan.
The Hon'ble Rai Rajeshwar Bali.
Mr. C. L. Alexander.
Mr. E. A. H. Blunt.
Kunwar Jagdish Prasad.
Mr. G. B. F. Muir.
Mr. A. C. Verrières.
Mr. C. E. D. Peters.
Mr. J. R. W. Bennett.
Mr. S. H. Fremantle.
Mr. B. Burn.
Mr. B. J. K. Hallowes.
Mr. C. M. King.
Mr. F. F. R. Channer.
Mr. A. D. Ashdown.
Colonel A. W. R. Cochrane.
Mr. A. H. Mackenzie.
Mr. G. Clarke.
Raja Bahadur Brij Narayan Rai.
Mr. H. David.
Rai Jagdish Prasad Sahib.
Chaudhri Sheoraj Singh.
Lala Babu Lal.
Thakur Rajkumar Singh.
Rai Bahadur Babu Ram Nath Bhargava.
Lieut. Raja Durga Narayan Singh,

Lieut. Raja Bahadur Hukm Tej Partap
Singh.
Rai Bahadur Thakur Hanuman Singh.
Dhaya Hanumat Prasad Singh.
Pandit Baijnath Misra.
Kunwar Rajendra Singh.
Rai Bahadur Thakur Mashal Singh.
Kunwar Surendra Pratap Sahi.
Rai Bahadur Babu Shankar Dayal.
Mr. Muhammad Aslam Saifi.
Rao Abdul Hamid Khan.
Khan Bahadur Chaudhri Amir Hasan
Khan.
Maulvi Muhammad Obaid-ur-Rahman Khan.
Dr. Zia-ud-din Ahmad.
Hafiz Hidayat Husain.
Khan Bahadur Shaikh Masud-uz-Zaman.
Nawab Muhammad Yusuf.
Dr. Shafa'at Ahmad Khan.
Saiyid Muhammad Ashiq Husain.
Khan Bahadur Maulvi Fasih-ud-din.
Khan Bahadur Maulvi Muhammad Fazl.
ur-Rahman Khan.
Khan Bahadur Hakim Mahbub Ali Khan.
Mr. Ashiq Husain Mirza.
Khan Bahadur Munshi Siddiq Ahmad.
Lala Mathura Prasad Mehrotra.
Lieut. Raja Shaikh Imtiaz Rasul Khan.
Raja Jagannath Bakhsh Singh.

Noes (23).

Babu Narayan Prasad Arora.
Babu Sangam Lal.
Babu Mohan Lal Saksena.
Babu Damodar Das.
Babu Bhagwati Sahai Bedar.
Thakur Manjit Singh Rathor.
Pandit Nanak Chand.
Thakur Shib Narayan Singh.
Babu Nemi Saran.
Chaudhri Badan Singh.
Thakur Sadho Singh.
Pandit Bhagwat Narayan Bhargava.

Pandit Jhanni Lal Pande.
Thakur Keshava Chandra Singh Chaudhri.
Pandit Sri Krishna Dutt Paliwal.
Babu Parsidh Narayan Anad.
Pandit Govind Ballabh Pant.
Pandit Hargovind Pant.
Mr. Mukandi Lal.
Babu Ram Chandra Sinha.
Babu Sita Ram.
Mr. Zahur Ahmad.
Maulvi Zahur-ud-din.

Motion agreed to.

The first part of the resolution was put and agreed to.

Mr. Mohan Lal Saksena: I want, Sir, that the second part should now be put in two parts.

The question whether the second part of the resolution should be put in two parts was put and negatived.

The second portion of the resolution, i.e., "and to give effect immediately to the proposals of the Excise Conference with a view to achieve this end and to adopt measures including local option and rationing and registration for the speedy attainment of the said object" was put and the Council divided as below:—

Ayes (26).

Babu Narayan Prasad Arora.
Babu Sangam Lal.
Babu Mohan Lal Saksena.
Babu Damodar Das.
Babu Jai Narayan Chaudhri.
Babu Bhagwati Sahai Bedar.
Thakur Manjit Singh Rathor.
Pandit Nanak Chand.
Thakur Shib Narayan Singh.
Babu Nemi Saran.
Chaudhri Badan Singh.
Thakur Sadho Singh.
Pandit Brijnandan Prasad Misra.

Pandit Bhagwat Narayan Bhargava.
Pandit Jhanni Lal Pande.
Thakur Keshava Chandra Singh Chaudhri.
Pandit Sri Krishna Dutt Paliwal.
Babu Parsidh Narayan Anad.
Pandit Yajna Narayan Upadhya.
Pandit Govind Ballabh Pant.
Pandit Hargovind Pant.
Mr. Mukandi Lal.
Babu Ram Chandra Sinha.
Babu Sita Ram.
Mr. Zahur Ahmad.
Maulvi Zahur-ud-din.

Noes (52).

The Hon'ble Mr. S. P. O'Donnell.
The Hon'ble Raja Sir Muhammad Ail Muhammad Khan, Khan Bahadur.
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.
The Hon'ble Rai Rajeshwar Bali.
Mr. C. L. Alexander.
Mr. E. A. H. Blunt.
Kunwar Jagdish Prasad.
Mr. G. B. F. Muir.
Mr. A. C. Verrières.
Mr. C. E. D. Peters.
Mr. J. R. W. Bennett.
Mr. S. H. Fremantle.
Mr. R. Burn.
Mr. B. J. K. Hallows.
Mr. C. M. King.
Mr. F. F. R. Channer.
Mr. A. D. Ashdown.
Colonel A. W. R. Cochrane.
Mr. A. H. Mackenzie.
Mr. G. Clarke.
Raja Bahadur Brij Narayan Rai.
Mr. H. David.
Chaudhri Sheoraj Singh.
Lala Babu Lal.
Thakur Rajkumar Singh.
Rai Bahadur Babu Ram Nath Bhargava.

Lieut. Raja Durga Narayan Singh.
Lieut. Raja Bahadur Hukm Tej Pratap Singh.
Rai Bahadur Thakur Hanuman Singh.
Bhaya Hanumat Prasad Singh.
Pandit Baijnath Misra.
Kunwar Rajendra Singh.
Rai Bahadur Thakur Mashal Singh.
Kunwar Surendra Pratap Sahi.
Rai Bahadur Babu Shankar Dayal.
Mr. Muhammad Aslam Saifi.
Rao Abdul Hamid Khan.
Khan Bahadur Chaudhri Amir Hasan Khan.
Maulvi Muhammad Obaid-ur-Rahman Khan.
Dr. Zai-ud-din Ahmad.
Khan Bahadur Shaikh Masud-uz-Zaman.
Nawab Muhammad Yusuf.
Dr. Shafa'at Ahmad Khan.
Saiyid Muhammad Ashiq Husain.
Khan Bahadur Maulvi Fasih-ud-din.
Khan Bahadur Maulvi Muhammad Fazl-ur-Rahman Khan.
Khan Bahadur Hakim Mahbub Ali Khan.
Mr. Ashiq Husain Mirza.
Khan Bahadur Muhshi Siddiq Ahmad.
Lala Mathura Prasad Mehrotra.
Lieut. Raja Shaikh Imtiaz Rasool Khan.
Raja Jagannath Bakhsh Singh.

Second part of resolution negatived.

RESOLUTION *re* ADDITIONAL POSTS FOR PROVINCIAL EXECUTIVE SERVICE, 399

RESOLUTION *re* ADDITIONAL POSTS FOR PROVINCIAL EXECUTIVE SERVICE.

Khan Bahadur Maulvi Fasih-ud-din : I beg to move—

"That this Council recommends to the Government to be pleased to throw open six more posts of collectors to the senior members of the United Provinces Executive Service."

[The Hon'ble the President resumed the Chair.]

Before I say anything on the resolution itself I should like to express my thanks to Hon'ble the Finance Member for the courteous and sympathetic treatment which he meted out to the deputation of the executive branch of the Provincial Services which waited on him in June last at Naini Tal, and to the sympathetic manner in which he conducted the discussion about the various claims and demands of the members of that service. Now I come to the resolution. The resolution as it stands is as simple as it is important. During the last 40 years the Congress has been worrying itself with the question of the Indianization of services, and the emancipation of the provincial services and their extraction from the slough of despond and the deep degradation they happen to be in. The platform speaker has been using his best oratory, and the man in the studio of the editor has been utilizing his best columns of the paper in order to secure an extended place for his countrymen in the highest grades of the administration. But what has been the result? I am sorry to confess that the result has been very very unsatisfactory hitherto. Commission after Commission has been sitting, promise after promise has been made, but we have not materially advanced in the way of securing a good share in the administration of the province. Sir, I remember that in 1887 a Commission was launched on this province with the boast that it was to be the panacea for all the ills to which the provincial services were prone to. But what was the result of that Commission. The result was only this that only a few listed posts were thrown open to the members of the provincial service on the one hand and the whole of the statutory civil service which was an eye-sore to many of the members of the Imperial Services was totally abolished. That was the result of that Commission. Again another Commission came in 1911-12 of which I had the privilege to be one of the co-opted members. I remember that some of the most enlightened and the best informed witnesses, like Pandit Moti Lal Nehru and others very clearly said before that Commission that that Commission was to result in a fiasco, and it is clear to everyone of us that the prophecy has not come to be true. The two posts of the collectors which used to be thrown open to the members of the provincial service in the early eighties still continue and when a claim has been put forward to confer more posts on the members of that service then all sorts of arguments and pleas are being used, the plea of vested rights and the plea that the matter is under consideration before the Government of India and the Secretary of State.

Sir, my object by moving this resolution is that we the members of the executive provincial service should be treated on a par with the members of the sister service, namely, the judicial branch of the provincial service. We know that there are as many as 48 posts of collectors in the United Provinces and there are only 36

posts of judges in the United Provinces and while seven posts have been conferred on the members of the judicial service only two posts continue to be reserved for the members of the provincial executive service. This I submit is an injustice of the grossest kind and all the members of the service feel this injustice. The other point of my resolution is that six more posts should be conferred on the senior members of the service. I have put in these words after careful and after due consideration. For the simple reason that the air is thick with rumours that the new posts which are to be given to the members of the executive branch of the provincial service will be given to junior members of that service who will be put in as assistants in the cadre of the Indian Civil Service and whose names will be shown below the name of the last assistant in that cadre who has been directly recruited. If that rumour is correct, then all this means that for another 17 or 18 years no post of collector will be given to any member of the provincial service. The members of the provincial executive service look upon that scheme with great alarm and dismay. In the first place, the scheme, if it is at all to be introduced, will only mean deferred direct enlistment, as a man who has put in eight years' service has to begin afresh as a member of the Indian Civil Service and when he gets the collectorship after 17 or 18 years' service, he would be at least 26 or even 29 years in service. In that case the statement, that the members of the provincial service, when once recruited into the cadre of the Indian Civil Service, will have the same prospects as ordinary members of the Indian Civil Service, is only a hoax, for what can we expect from a man who has put in 29 years' service? Can he rise to be a commissioner or a member of the Board of Revenue, as has been hinted? I think Government should come forward and define their policy as regards this particular part which has been so much talked about in the circle of the members of provincial service.

Sir, I submit that if this scheme is carried out there will be another disadvantage and it will be this, that the prospects of the senior members will be totally marred, and no man who steps beyond the barrier of ten years' service can ever hope to rise above a collectorship. I remember there was a collector friend of mine who fearing that the posts of commissioners were going to be abolished, became so disgusted with the service that he said that there was no use remaining as collector, that he was satiated with the work of collector, that he did not care to remain in the service in which there was no opening. The same can be said by the members of the executive branch of the provincial service. Last time a resolution moved by Pandit Gokaran Nath Misra for giving two more posts to the service was unanimously passed by the Council, but that has not been given effect to. By moving for giving six more posts I simply want to place both the sister branches of the provincial service on the same level.

With these few words I commend the resolution to the notice of the honourable House.

The Hon'ble Mr. S. P. O'Donnell: As the Council knows, the Lee Commission has recommended that 20 per cent. of the Civil Service should be recruited in future from the provincial service. That means that eventually more than six posts of magistrate and collector will be held by officers drawn from the provincial service. In what precise

way this recommendation will be carried out—by what steps and by what stages—I do not know any more than honourable members. There are of course, more ways than one, in which the recruitment could be carried out. It could be carried out, as at present, by appointing very senior officers to posts specifically, listed or reserved for them. It could be carried out by recruiting officers at a relatively earlier age. Whatever be the decision on this point it seems to me unlikely that any just claims of senior officers would be ignored. That, Sir, is the position. The principle underlying this resolution seems to have been recognized in the recommendation of the Lee Commission. As regards the steps and the stages by which that proposal is to be carried out we can only await the orders of the Secretary of State, before whom presumably the matter is.

Khan Bahadur Maulvi Fasih-ud-din : I am very thankful to the Hon'ble the Finance Member for the assurance that he has given. There is one point and it is this : The period during which this recommendation of the Lee Commission is to be carried out is still uncertain. As we have been used to so many uncertainties from time to time it is rather a great burden that we should have to wait for an indefinite period. If this point is cleared up, if the period is known, even the probable period, I would be very willing to withdraw my resolution.

The Hon'ble Mr. S. P. O'Donnell : I am afraid, Sir, I cannot give any assurance regarding the period. The matter does not rest with us. It rests with the Secretary of State. I do not know, as I have said, by what steps, by what stages, this recommendation of the Lee Commission will be carried out. I am exactly in the same position as any other honourable member and, as I said before, we can only await the orders on the subject of the Secretary of State. If the honourable member so desires, I am of course quite prepared to forward a copy of the debate to the Government of India.

Khan Bahadur Maulvi Fasih-ud-din : I withdraw the resolution.
Resolution withdrawn.

RESOLUTION *re* INSPECTION OF GOVERNMENT
INSTITUTIONS BY MEMBERS OF LEGISLATIVE COUNCIL.

Thakur Sadho Singh : I beg to move—

That this Council recommends to the Government that the members of this Council be allowed to visit all institutions under the control of transferred departments in charge of the Hon'ble the Ministers and to make their observations and recommendations regarding the working and improvement of these institutions.

I may submit that some of the institutions under the Ministers are directly under the control of district and municipal boards. Any member of these local bodies can not only visit them but make inspections. When it is necessary for us in the public interest to put in questions to ascertain the actual state of things about some of these and other departments under the Ministers and we get the replies second-hand and after long. That is a very tedious method and moreover the business of the House is also taken up to a large extent with that portion of the work. If members of this House are allowed to make inspections and suggest improvements then these institutions will be better regulated and very few complaints about them will be forthcoming. I understand

[Thakur Sadho Singh.]

that there is a good deal of undue jealousy about our interference in the work of these institutions. That is groundless. Even Indian Medical Service and Provincial Medical Service officers who are Superintendents of jails are quite ready to put up with our strongest strictures. If we are allowed to inspect them we could get first-hand information about them and that will easily remove misunderstandings on many points. For instance, we have co-operative societies, liquor shops and schools. If we are allowed to make inspections of these places we could suggest improvements, the defects could be removed much more easily and effectively and the heads of departments would not have much to complain and resent. We generally find that there is a great deal of misunderstanding on this point. The other day we found that adverse criticism in this Council is very annoying to heads of departments, and in this way many of the complaints could be very easily removed and very smoothly and without causing friction with the heads of departments or with their subordinates. It has been found that even the officers of the reserved departments find it very convenient and more acceptable that we should send our criticisms about their subordinates to them directly instead of bringing them into this Council when they will rather sometimes support the administration even when in the wrong, and, I think, a good deal of improvement can be effected in the working of these departments in this way. With these remarks, I commend this resolution.

The Hon'ble Rai Rajeshwar Bali : I am glad that the honourable member opposite is anxious to visit the institutions under the transferred departments and to suggest various measures for their improvement. I shall be still more happy if the enthusiasm of this moment does not cool down with time. I am therefore in hearty agreement with him, so far as the main principle of the resolution is concerned; but one point has to be made perfectly clear. If the intention of the honourable member is that every member of this House should be allowed to visit every institution in the province, no matter where it is constituted, then there would certainly be some practical difficulty; but if it is intended that the local member should be allowed to visit institutions which happen to be in his constituency, alone then, so far as my departments are concerned, I have no objection to accepting the resolution. Within the limits of a constituency in my departments, the institutions generally are the Government high schools, the schools under the district boards, the hospitals under the district boards and in certain places lunatic asylums. For the hospitals and the schools under the district boards, I am afraid the local bodies will have to be consulted before any member can visit them; for they are their institutions not our institutions.

Voices :—"They are not."

The Hon'ble Rai Rajeshwar Bali : They are either the district board or the municipal board institutions and these bodies are bound to resent the interference of any member whom we may appoint as their visitor. As for the Government high schools, I believe that the honourable members of this House are *ex-officio* members of their committees.

Voices :—"Not all."

The Hon'ble Rai Rajeshwar Bali : Well, if all of them are not, then I shall see that they are appointed *ex-officio* members of the Government High School committees. Then there are only four

Hospitals which are under our direct control. I am quite ready to appoint the local members of those constituencies as visitors to those hospitals. I hope the House will agree that we cannot take any action with regard to institutions which do not belong to us nor can we allow members of one constituency to become visitors of all other constituencies. If the intention of the honourable mover is that local members should be visitors of local institutions, then for those institutions which are directly under me I am quite ready to accept this principle.

Pandit Govind Ballabh Pant : With your permission, Mr. President, I wish to make an amendment in the light of the remarks of the Hon'ble Minister, which, I think, are perfectly reasonable.

I beg to propose, if the House permits me, that between the words 'the' and 'control' on line 4 the word 'directly' may be inserted, and after the word 'Ministers' in line 6 the words 'in their respective constituencies' be inserted.

The amended resolution would run thus :—That this Council recommends to the Government that the members of this Council be allowed to visit all institutions under the direct control of transferred departments in charge of the Hon'ble Ministers in their respective constituencies and to make their observations and recommendations regarding the working and improvement of these institutions.

Babu Bhagwati Sahai Bedar : I am glad that the Hon'ble Minister of Education has accepted this amendment and I will therefore say only a few words. There are some Advisory Committees to which members of the Council have not yet been nominated. The district authorities only appoint such persons as happen to be their hangers-on. These persons serve no useful purpose. I am one of those persons who has not as yet been nominated on a number of Advisory Committees, for instance, the Excise Committee of Moradabad, the Agricultural Advisory Board of Shahjahanpur, and a number of other committees. I hope the Hon'ble Minister will take due care in this respect and will issue instructions to have nominated members of the Council as members of different Advisory Committees and Boards. Apart from this the members of these committees and boards should be allowed to visit the institutions under the charge of these committees.

May I expect a similar reply from the Hon'ble the Minister for Industries?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : As far as my departments are concerned, there are some institutions in the Industries department, for instance, technical schools and we have got in the Agriculture department, committee, farms and I am perfectly willing, as has been suggested by the honourable member for Shahjahanpur, to appoint him and other members who wish to be appointed, as members of different Advisory Committees for the institutions in their respective constituencies. We would rather welcome this idea, that the honourable members should take interest in the institutions and give us first-hand information about them.

The amendment of Pandit Govind Ballabh Pant was put and agreed to.

The resolution, as amended, was put and agreed to.

The Council was then adjourned to the following day.

LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

Wednesday, the 1st April, 1925.

The Council met in the Council Chamber, Lucknow, at 11 a.m.
The Hon'ble the President in the Chair.

PRESENT:

The Hon'ble Mr. S. P. O'Donnell.
The Hon'ble Raja Sir Muhammad Ali
Muhammad Khan, Khan Bahadur.
The Hon'ble Lieut. Nawab Muhammad
Ahmad Sa'id Khan.
The Hon'ble Rai Rajeshwar Bali.
Mr. C. L. Alexander.
Mr. E. A. H. Blunt.
Kunwar Jagdish Prasad.
Mr. G. B. F. Muir.
Mr. A. C. Verrières.
Mr. C. E. D. Peters.
Mr. J. R. W. Bennett.
Mr. S. H. Fremantle.
Mr. R. Burn.
Mr. B. J. K. Hollowes.
Mr. C. M. King.
Mr. F. F. R. Channer.
Mr. A. D. Ashdown.
Colonel A. W. R. Cochrane.
Mr. A. H. Mackenzie.
Mr. G. Clarke.
Raja Bahadur Brij Narayan Rai.
Mr. H. David.
Babu Khem Chand.
Babu Narayan Prasad Arora.
Babu Sangam Lal.
Babu Mohan Lal Saksena.
Babu Damodar Das.
Babu Jai Narayan Chaudhri.
Babu Bhagwati Sahai Bedar.
Thakur Manjit Singh Rathor.
2nd-Lieut. Chaudhri Balwant Singh.
Rai Jagdish Prasad Sahib.
Chaudhri Jaswant Singh.
Chaudhri Sheoraj Singh.
Pandit Nanak Chand.
Lala Babu Lal.
Thakur Rajkumar Singh.
Thakur Shib Narayan Singh.
Rai Bahadur Babu Ram Nath Bhargava.
Rai Bahadur Pandit Kharagjit Misra.
Babu Nemi Saran.
Chaudhri Badan Singh.
Thakur Sadho Singh.
Pandit Brijnandan Prasad Misra.
Pandit Bhagwat Narayan Bhargava.
Pandit Jhanni Lal Pande.
Thakur Keshava Chandra Singh Chaudhri.
Lieut. Raja Durga Narayan Singh.

Lieut. Raja Bahadur Hukm Tej Pratap
Singh.
Pandit Sri Krishna Dutt Paliwal.
Babu Parsidh Narayan Anad.
Pandit Yajna Narayan Upadhyaya.
Babu Dip Narayan Roy.
Rai Bahadur Thakur Hanuman Singh.
Bhaya Hanumat Prasad Singh.
Pandit Baijnath Misra.
Pandit Govind Ballabh Pant.
Pandit Hargovind Pant.
Mr. Mukandi Lal.
Babu Ram Chandra Sinha.
Dr. Jaikaran Nath Misra.
Kunwar Rajendra Singh.
Rai Bahadur Thakur Mashal Singh.
Babu Sita Ram.
Kunwar Surendra Pratap Sahi.
Rai Bahadur Babu Shankar Dayal.
Mr. Zahur Ahmad.
Mr. Muhammad Aslam Saifi.
Maulvi Zahur-ud-din.
Rao Abdul Hamid Khan.
Maulvi Shahab-ud-din.
Khan Bahadur Chaudhri Amir Hasan
Khan.
Maulvi Muhammad Obaid-ur-Rahman Khan.
Dr. Zia-ud-din Ahmad.
Hafiz Hidayat Husain.
Khan Bahadur Shaikh Masud-uz-Zaman.
Nawab Muhammad Yusuf.
Dr. Shafa'at Ahmad Khan.
Saiyid Muhammad Ashiq Husain.
Khan Bahadur Maulvi Fasih-ud-din.
Khan Bahadur Maulvi Muhammad Fazl-
ur-Rahman Khan.
Khan Bahadur Hakim Mahbub Ali Khan.
Mr. Ashiq Husain Mirza.
Khan Bahadur Munshi Siddiq Ahmad.
Raja Saiyid Ahmad Ali Khan Alvi.
Khan Bahadur Chaudhri Muhammad
Rashid-ud-din Ashraf.
Mr. St. George H. S. Jackson.
Lala Mathura Prasad Mehrotra.
Raja Shambhu Dayal.
Lieut. Raja Shaikh Imtiaz Rasul Khan.
Raja Jagannath Bakhsb Singh.
Sir Thomas Smith, Kt., V.D.
Mr. Tracy Gavin Jones.
Dr. Ganesh Prasad.

QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

CUSTODY OF PRISONERS' PROPERTY IN JAILS.

* 1. **Lala Mathura Prasad Mehrotra** : Is it a fact that sacred idols and images of Hindu incarnations found with the persons imprisoned are deposited in jail godowns ?

* 2. If so, will the Government be pleased to state the names of persons with whom they have been found and the jails where they are so deposited ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : With regard to the custody of the property of prisoners the honourable member is referred to section 25 of the Prisons Act, 1894. The rules contained in the Jail Manual for the custody of prisoners' property give effect to the provisions of that section, but under rule 444 property may, if the prisoner so desires, be made over to his friends. No recent complaints have been received of anything of the nature referred to in question No. 1, and no detailed information is available as to question No. 2. If the honourable member is referring to any particular case and will inform me I shall be glad to have it examined.

Lala Mathura Prasad Mehrotra : Is the Government aware that the present practice wounds the feelings of Hindus ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : No ; the Government is not aware.

Lala Mathura Prasad Mehrotra : Will the Government be pleased to make an inquiry into the matter ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : As I have already stated, if the honourable member will inform me of any particular case, I shall have inquiries made.

JAIL INDUSTRIES.

* 3. **Babu Bhagwati Sahai Bedar** : Will the Government be pleased to state the names of the industries flourishing in the jails of these provinces ?

Do they contemplate to introduce new industries ? If the answer of the above be in the affirmative, please state the nature of those industries.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : The manufacture of all kinds of cloth, *munj* matting, durries, carpets, tents, bricks and tiles, and the making of uniforms for all departments.

It is not proposed to introduce any new industries at present. The honourable member is referred to Judicial (Criminal) department resolution No. 2778/VI—857, dated the 29th August, 1924.

DIET OF PRISONERS IN JAILS.

* 4. **Thakur Shib Narayan Singh** : Will the Government be pleased to state :—

(a) Why has wheat flour been stopped and in its place *juar* flour substituted since December, 1924, in the provisions given to the prisoners in Aligarh jail and under whose orders ?

(b) Why has also *haldi* been stopped from being put in *dal* and under whose orders ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : (a) It is not a fact that wheat flour has been stopped. *Juar* and wheat in combination are issued from December to March and during the remainder of the year wheat and gram are issued.

(b) *Haldi* was never given regularly to prisoners. Its occasional issue was stopped by the Inspector-General of Prisons for financial reasons. The questions of issuing it again is under consideration.

Babu Nemi Saran : Is it a fact that most of the non-official visitors to this jail have complained about the diet that is being given to prisoners there ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : I have heard of no complaint on the subject.

Babu Nemi Saran : Will the Government be pleased to inquire into the matter ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Certainly.

Pandit Yajna Narayan Upadhya : What is the proportion of *juar* and wheat in the provisions ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : I cannot tell.

CHAIRMEN OF IMPROVEMENT TRUSTS.

* 5. **Babu Nemi Saran :** Will the Government be pleased to lay on the table copies of the Local Government's full orders and notifications appointing the Chairmen of three Improvement Trusts in the province with the date of their notification in the Gazette ?

The Hon'ble Rai Rajeshwar Bali : Copies are laid on the honourable member's table.

* 6. **Babu Nemi Saran :** (1) Were there any special reasons for appointing the chairman of the Allahabad Improvement Trust for more than three years in contravention of section 6 of the United Provinces Town Improvement Act, 1919. If so, please give these reasons.

(2) Was it a part of the sanctioned remuneration of these Chairmen that they would get leave under rule 103(a) of the Fundamental Rules (for temporary servants) ? Were any such orders issued at the time of their appointment ? If so, please lay a copy of these orders on the table.

The Hon'ble Rai Rajeshwar Bali : (1) The appointment of the Chairman of the Allahabad Trust for more than three years was not in contravention of section 6 of the Town Improvement Act. The second part of the question does not therefore arise.

(2) The grant of leave is not a part of the sanctioned remuneration but is incidental to the appointment. The answer to the second part of the question is in the negative. The last part of the question does not arise.

* 7. **Babu Nemi Saran :** (1) What is the period for which leave is allowed to the Chairman, Allahabad Trust ? From what date will he avail

himself of it and on what terms? Who will act in his absence and what will be paid to the officiating man?

(2) From what date was the office of the Improvement Trust organized at Allahabad and the establishment provided then?

The Hon'ble Rai Rajeshwar Bali: (1) The Chairman has been allowed leave for five and a half months. He will avail himself of it from the 1st April, 1925. Four out of five and a half months' leave will be leave on average pay and the remaining on half average pay. Rai Bahadur Pandit Baldeo Ram Dave Sahib will officiate for him in an honorary capacity.

(2) The organization of the office was started by the Chairman from the date of his appointment on the 9th December, 1921. The establishment was provided on various dates and the office was fully organized in June, 1921.

Babu Nemi Saran: Is it a fact that the chairman in question was appointed for five years?

The Hon'ble Rai Rajeshwar Bali: Yes.

Babu Nemi Saran: May I inquire why he was appointed for five years and not for three years as ordinarily provided for in the Town Improvement Act?

The Hon'ble Rai Rajeshwar Bali: I have already stated that under the Act he could be appointed for five years.

Babu Nemi Saran: Why was he not appointed for three years?

The Hon'ble Rai Rajeshwar Bali: I cannot say.

Mr. Mukandi Lal: Does the Government contemplate making the post of Chairman honorary hereafter?

The Hon'ble Rai Rajeshwar Bali: Yes.

Babu Nemi Saran: Is there any likelihood of the present Chairman returning to the Trust after his leave expires?

The Hon'ble Rai Rajeshwar Bali: I think not.

NUMBER OF MEN AND CATTLE KILLED BY WILD ANIMALS.

* 8. **Mr. Mukandi Lal:** Will the Government be pleased to state what is the total number of human beings and cattle that were killed by wild animals in the three districts of Almora, Garhwal, and Naini Tal in the year 1924?

The Hon'ble Mr. S. P. O'Donnell: The honourable member is referred to the answer to starred question No. 8 for 30th March, 1925.

Starred question No. 8 and answer given to it on the 30th March, 1925, referred to in the answer to starred question No. 8 of the 1st April, 1925.

Mr. Mukandi Lal: What is the number of men and cattle killed by wild animals in the year 1924 in the districts of Garhwal, Almora, and Naini Tal?

The Hon'ble Mr. S. P. O'Donnell: Ninety-three persons were killed in 1924. No record is kept of the cattle killed.

MONOPOLY OF SELLING GRASS AT VARIOUS *paraos* ON
THE PAUSI-KOTDWAR ROAD.

* 9. **Mr. Mukandi Lal:** Is it a fact that Government has given a monopoly of selling grass to the Government Transport Agency at various places such as Dugadda, Banghat, Haldwani, and Kanskhet on the Pauri-Kotdwar road?

The Hon'ble Mr. S. P. O'Donnell: Under the deed of agreement between the Forest department and the Garhwal Government Transport Agency, the sole right of selling grass and fodder and the *paraos* at Barghat, Kanskhet, Khurigala, Deosa, Adwani, Dwarikhal, and Dadamandi is given to the agency.

* 10. **Mr. Mukandi Lal:** What is the penalty for those who sell grass at those places which they bring to sell from their fields or villages or released forests?

The Hon'ble Mr. S. P. O'Donnell: The question of imposing a penalty has not yet arisen.

* 11. **Mr. Mukandi Lal:** Under what law has the monopoly been given?

The Hon'ble Mr. S. P. O'Donnell: The right was given under the deed of agreement in order to make the agency responsible for the supply of grass and fodder to travellers at reasonable rates and obviate the inconvenience which would be caused by the absence or dearth of these supplies. The legal question raised by the honourable member will be examined.

Mr. Mukandi Lal: Have the Government deprived the people of the right to sell grass there?

The Hon'ble Mr. S. P. O'Donnell: We will look into the legal question.

Mr. Mukandi Lal: Were tenders invited about giving the monopoly?

The Hon'ble Mr. S. P. O'Donnell: No. I do not think there were any tenders invited. I will look into the whole question.

SLAUGHTER OF CATTLE.

* 12. **Hafiz Hidayat Husain:** Are any statistics available regarding the number and quality of animals slaughtered during the last two years in these provinces? If so, will the Government be pleased to lay them on the table?

* 13. **Hafiz Hidayat Husain:** What is the number and quality of cattle slaughtered for local consumption in these provinces during the last two years?

How many cattle were slaughtered for meat trade only? What is the quantity of dry meat exported from these provinces?

The Hon'ble Rai Rajeshwar Bali: Information is being collected and is not yet available.

POOR-HOUSES AND ASYLUMS.

* 14. **Mr. H. David.** How many, if any, poor houses or asylums are established and maintained in connection with local boards—

(a) Municipal ?

(b) District ?

and where ?

* 15. What was the number of their inmates in 1923 and at what cost were they maintained ?

The Hon'ble Rai Rajeshwar Bali : The information is being collected and is not yet available.

GRANTS-IN-AID FOR PRIMARY EDUCATION.

* 17. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state the amount of grant-in-aid for primary education to the following municipal boards :—(1) Bareilly, (2) Moradabad, (3) Lucknow, (4) Benares, (5) Bijnor, (6) Shahjahanpur, (7) Budaun, (8) Bulandshahr, (9) Aligarh, (10) Allahabad, (11) Amroha, (12) Chandausi, (13) Gonda, and (14) Gorakhpur ?

Will the Government be pleased to specify in each case the proportion of their grant-in-aid to the amount provided by these boards for primary education within their areas ?

The Hon'ble Rai Rajeshwar Bali : A statement is laid on the table of the honourable member.

Statement referred to in the answer to starred question No. 17, asked by DR. SHAFAT AHMAD KHAN SAHIB on the 1st April, 1925.

Municipality.	Total grant for primary education during the year 1924-25.	Board's provision for primary education in the municipal area for 1924-25.
	Rs.	Rs.
Bareilly*	38,037	84,900
Moradabad*	29,223	59,605
Lucknow*	21,832	1,01,460
Benares	9,366	74,942
Bijnor	1,200	3,163
Shahjahanpur	3,845	22,150
Budaun	2,355	9,746
Bulandshahr*	5,965	12,500
Aligarh	3,555	19,000
Allahabad	11,265	83,279
Amroha	3,075	8,156
Chandausi	1,200	8,700
Gonda	625	2,430
Gorakhpur	2,690	14,628

*In these boards compulsory education has been introduced.

NOTE.—The grant-in-aid for primary education (excluding that for compulsory education) is not given on a basis of proportion, but was sanctioned from time to time according to needs for the expansion of primary education and in some cases for special needs.

PERSONS CHALLANED DURING ECLIPSE IN BENARES.

* 19. **Pandit Yajna Narayan Upadhya**: How many persons in Benares city have been challaned under section 109 of the Criminal Procedure Code during the last two lunar eclipses?

The Hon'ble Mr. S. P. O'Donnell: On the day of the last lunar eclipse one man was challaned under section 109 of the Criminal Procedure Code. On the day following the previous eclipse 28 men were challaned: these were all Barwars of the Gonda district and had been registered under the Criminal Tribes Act.

Pandit Yajna Narayan Upadhya: Has the Government obtained any report from the Superintendent of the Central Jail, Benares, in this matter?

The Hon'ble Mr. S. P. O'Donnell: We did not make any inquiry from the Superintendent, Central Jail, Benares. We have received this information from the district authorities.

Pandit Yajna Narayan Upadhya: I have actually seen just after the eclipse and I was also told by the Superintendent of the Central Jail that these persons were arrested just on the occasion of the eclipse and he also stated that a large number of persons were convicted under this section after the eclipse.

The Hon'ble the President: Will the honourable member put this in the form of a question?

SUPERVISORS FOR DEPRESSED CLASS SCHOOLS.

20. **Pandit Bhagwat Narayan Bhargava**: (1) Will the Government be pleased to state how many and what district boards in the provinces have appointed supervisors for the depressed class schools?

(2) What pay and allowance does each district board pay to these supervisors?

(3) How much grant does the Government give to each district board towards the pay and travelling allowance of these supervisors?

The Hon'ble Rai Rajeshwar Bali: The information is being collected.

HINDU *pathshalas*.

* 21. **Pandit Bhagwat Narayan Bhargava**: (1) Will the Government be pleased to give the number of Hindu *pathshalas* in each district of the province aided by the local boards?

(2) Does the Government give any recurring or non-recurring grants to any local board for these *pathshalas*? If so, to which and how much? If not, why not?

(3) Are there any depressed classes schools aided or maintained by any municipal board? If so, by which and how many?

The Hon'ble Rai Rajeshwar Bali: Inquiries are being made.

DRILL TRAINING IN INTERMEDIATE COLLEGES.

* 22. **Pandit Yajna Narayan Upadhya**: Is it a fact that training in drill is not given in classes XI and XII of the Intermediate Colleges?

The Hon'ble Rai Rajeshwar Bali: Inquiries are not yet complete.

CIVIL SURGEON, ETAH.

* 23. **Babu Mohan Lal Saksena** : Is it a fact that the Civil Surgeon of Etah has ruled that the medical officer in charge of the Sadr dispensary could not visit a patient outside the municipal limits in non-dispensary hours? Is the same rule observed in other districts?

* 24. Is it a fact that the medical officers in charge of dispensaries in the interior of Etah have been ordered not to perform even such operations as can be successfully done by them?

* 25. (a) Is it also a fact that the travelling expenses of the patients who come from outlying dispensaries to Sadr dispensary are borne by the dispensaries?

(b) If so, is the money paid by the Government or the district board?

The Hon'ble Rai Rajeshwar Bali : Inquiry is being made and the information is not yet available.

Panchayats IN ALMORA.

* 26. **Pandit Hargovind Pant** : What steps, if any, has the Government taken to have the constitution of those *panchayats* in district Almora about which there have been complaints, revised as promised in answer to a supplementary question arising out of my starred question No. 71, dated the 26th January, 1925?

The Hon'ble Rai Rajeshwar Bali : The local authorities are being asked to examine the constitution of the *panchayats* and to revise it where necessary.

Pandit Hargovind Pant : When is the result of the inquiry expected?

The Hon'ble Rai Rajeshwar Bali : We have asked the local authorities.

VILLAGE *panchayats*.

* 27. **Chaudhri Jaswant Singh** : Will the Government be pleased to state about village *panchayats* up to the year 1924—

(a) How many were established?

(b) How many were abolished?

(c) How many have been stopped by the Government either owing to the work not being done satisfactorily or because they were without work?

(d) What is the total number of them which have been stopped on account of the complaints of villagers?

The Hon'ble Rai Rajeshwar Bali : Information is being collected and is not yet available.

NUMBER OF GOVERNMENT SERVANTS AND THEIR CASTES.

* 28. **Chaudhri Jaswant Singh** : Will the Government be pleased to supply a list showing separately in every department the total number of Government servants with the castes to which they belong?

The Hon'ble Mr. S. P. O'Donnell: No list of the kind asked for is available, and the Government fear that the labour of collecting the information would be out of proportion to its value. So far as the higher appointments however are concerned, the information asked for can be obtained from the Civil List.

Holi AT BAH, DISTRICT AGRA.

* 29. **Thakur Manjit Singh Rathor:** Has it come to the knowledge of the Government that the "*holi* wood" which was placed at its usual place in the bazar by the Hindu residents of Bah in district Agra was removed by the police under instructions from the local sub-divisional officer?

The Hon'ble Mr. S. P. O'Donnell: Yes. The facts are as follows:—

This year *Holi* materials were placed at the cross-roads in the bazar four days before the usual and customary date. A dispute had arisen last year, and, as a result of the police and magisterial inquiry and with the consent of the residents of Bah, it was decided that in future years cow-dung cakes for the *Holi* should be placed at the cross-roads only one day before *puranmashi* in accordance with the practice of former years. This year some irresponsible youths placed *Holi* materials on the cross-roads four days before the time. The sub-divisional officer, acting on the agreement of the previous year, had them removed. The cross-roads are obviously an unsuitable place for the *Holi* ceremony, and their use for this purpose involves the closing of two main roads to public traffic.

Thakur Manjit Singh Rathor: Was the *holi* material that is wood etc., returned to the public for burning on the day *holi* burns.

The Hon'ble Mr. S. P. O'Donnell: I do not know; I will make inquiries about that.

Thakur Manjit Singh Rathor: Is it considered satisfactory that *holi* material should not be returned to the public?

The Hon'ble Mr. S. P. O'Donnell: I think that certainly it should have been returned.

Thakur Manjit Singh Rathor: Was that *holi* material returned?

The Hon'ble Mr. S. P. O'Donnell: I have just said that I will make inquiries about that.

Babu Nemi Saran: Were the Hindu public allowed to burn their *holi* one day before the *puranmashi* as it was customary according to the statement?

The Hon'ble Mr. S. P. O'Donnell: The honourable member may please wait for answers to further questions.

Babu Bhagwati Sahai Bedar: Under what law was this *Holi* removed?

(No reply given.)

* 30. **Thakur Manjit Singh Rathor:** Did the Government receive communication on the subject from the Hindu residents of Bah?

The Hon'ble Mr S. P. O'Donnell: Yes. Telegrams were received.

* 31. **Thakur Manjit Singh Rathor**: What action did the Government take in the matter?

The Hon'ble Mr. S. P. O'Donnell: The telegrams were sent to the Commissioner for disposal.

Thakur Manjit Singh Rathor: What action did the Commissioner take?

The Hon'ble Mr. S. P. O'Donnell: I cannot tell. The honourable member should wait.

* 32. **Thakur Manjit Singh Rathor**: Is it a fact that on account of the forced non-observance of the religious rites of *Holi* by the Hindus, the Hindu population of Bah decided to observe *hartal* as a protest?

The Hon'ble Mr. S. P. O'Donnell: There was no forced non-observance of the religious rights of the *Holi*, but a *hartal* was organized by some irresponsible persons as a protest against the sub-divisional officer's action. The *hartal* was accomplished by means of threats of violence and social boycott.

Thakur Manjit Singh Rathor: The answer to this question, Sir, is a mis-statement of facts.

The Hon'ble the President: I cannot admit a statement.

Thakur Manjit Singh Rathor: The answer is that there was no forced non-observance of the *Holi*. It means that the *Holi* was burnt and there was no non-observance. As a matter of fact there was forced non-observance and the *Holi* was not burnt and a *hartal* was observed as a protest. May I know why was it removed?

The Hon'ble the President: If the honourable member will look at the answer to question No. 29, he will find why it was removed.

Thakur Manjit Singh Rathor: Is this answer correct that there was no forced non-observance?

(No reply.)

Babu Nemi Saran: May I know whether one day before the *Puran-mashi*, as was customary, the Hindus were allowed to burn their wood if they liked to do?

The Hon'ble Mr. S. P. O'Donnell: I presume that they would have been allowed to do so, but they did not do so. I have already said that there was a *hartal* organized.

Pandit Brijnandan Prasad Misra: How was this *Holi* material finally disposed of?

The Hon'ble Mr. S. P. O'Donnell: That I do not know.

Pandit Nanak Chand: Is it not customary that the *Holi* materials are collected a few days before the actual day?

The Hon'ble Mr. S. P. O'Donnell: I have already explained that an agreement was arrived at last year they should be placed there a day before.

* 33. **Thakur Manjit Singh Rahtor**: Is it a fact that the general *hartal* which began on the 7th of March lasted for over a week?

The Hon'ble Mr. S. P. O'Donnell: The *hartal* began on 8th March and ceased on the 13th, when police protection was given to shopkeepers who wished to open their shops.

FARM IN LANDHAURA ESTATE, SAHARANPUR.

* 34. **Pandit Nanak Chand :** (a) Has the Court of Wards started any agricultural farm in the estate of Chaudhri Balwant Singh at Landhaura, district Saharanpur?

(b) If so, when was the farm started and what has been the expenditure incurred inclusive of rent chargeable; what has been the income so far? If there has been any loss, what is its amount and what is it due to?

The Hon'ble Mr. S. P. O'Donnell : The local authorities proposed to use some *sir* belonging to the estate as an agricultural farm but the proposal was not accepted by the Court of Wards, as the financial prospects were not sufficiently attractive and the estate is heavily indebted.

CONTRIBUTION TO DISTRICT BOARDS FOR VERNACULAR EDUCATION.

* 35. **Pandit Nanak Chand :** Will the Hon'ble the Minister for Education be pleased to lay copies of Education department circular letter No. 492/XV—764, on the table with the statements A and B appended thereto?

The Hon'ble Rai Rajeshwar Bali : A copy of G. O. No. 492/XV—764, dated the 17th September, 1924, with statements A and B, is placed on the table of the honourable member.

Pandit Nanak Chand : May I inquire whether this statement will be published in view of the fact that it is an important statement and it affects . . .

The Hon'ble the President : It will be published in the proceedings.

No. 492/XV—764.

FROM

KUNWAR JAGDISH PRASAD, C.I.E., O.B.E.,
SECRETARY TO GOVERNMENT,
UNITED PROVINCES,

TO

THE CHAIRMAN, DISTRICT BOARD,

Dated Allahabad, the 17th September, 1924.

SIR,

I AM directed to invite a reference to the marginally-noted correspondence on the subject of contributions to district boards for

EDUCATION
DEPT

Resolution No. 768/IX—3649, dated the 8th November, 1918.

Resolution No. 273/IX—25, dated the 3rd June, 1920.

Resolution No. 77/IX—25, dated the 27th January, 1921.

Resolution No. 129/IX—25, dated the 21st February, 1921.

Resolution No. 1231/XV, dated the 23rd May, 1921.

Resolution No. 1233/XV, dated the 23rd May, 1921.

G. O. No. 2344/XV—24A, dated the 11th October, 1922.

G. O. No. 133/XV—722, dated the 11th January, 1923.

expenditure on vernacular education. The grants sanctioned for vernacular education under the various heads, viz., primary, Islamia, depressed class, and female education, were hitherto given on the condition that the amount to be given to the district board in any one year would be the amount required to enable it to work up to the cost of its scheme in that year less the amount that it failed to expend from the recurring grant in the previous year. A further

condition was made in the grant for further expansion (vide G. O. No. 133/XV—722, dated the 11th January, 1923), namely, that charges only on account of the additional staff and institutions entertained after the 30th June, 1922, would, to the extent of the funds allotted, be debitable to the allotment then made for expansion. These conditions have necessitated annual returns from the board showing actual annual expenditure and the actual staff employed before and after the 30th June, 1922. This procedure makes it difficult for the board to forecast in August when making up its estimated budget for the next financial year what funds would be available for education. Scrutiny of returns sent by the board and the calculations involved in fixing the amount due for revision of pay of teachers take considerable time and involve much correspondence, with the result that the grants to the board have been delayed and the board placed in further doubt as to what grants it would actually receive from Government. District boards have, therefore, adopted a cautious policy and have not utilized to the full extent the funds available. Now that the new district boards have come into being under the District Boards Act of 1922 with non-official chairman, it is desirable that the district boards should know precisely what funds will be available to them for educational purposes and that they should have as free a hand as possible in utilizing to the best advantage the funds available. Further, it is evident from the divisional inspectors' and district boards' reports that district boards have not been able, with the funds available, properly to house their new primary and other schools.

2. The Governor, acting with his Ministers, has therefore, been pleased to accord sanction to the proposal that the grant for education to the district boards should be fixed for a period of three years, with effect from 1924-25, and that the annual resumption by Government of the difference between actual expenditure and the prescribed minimum should be discontinued. The fixed contribution of Government and the amount to be spent by the district board under the heads (1) middle vernacular and ordinary primary, (2) Islamia schools and *maktabs*, (3) female education, and (4) education amongst the depressed classes are shown in the attached statement "A". The grant is fixed at the amount sanctioned for the year 1923-24 with some minor adjustments.

3. While the Governor, acting with his Ministers, does not desire unduly to fetter the discretion of the board in matters of detail, the grants now fixed must be subject to conditions that will ensure that the money will be utilized in accordance with the general policy of the Government in the matter of vernacular education. The following conditions are therefore attached to the grants:—

- (a) The board shall provide annually in its budget as the minimum expenditure of the board at least the amount shown in the attached statement "A" under each of the four heads, (1) middle vernacular and primary education, (2) Islamia schools and *maktabs*, (3) female education, and (4) education amongst the depressed classes, i.e., the amounts shown in columns 1 to 4 of statement "A" are the minimum amounts which should be budgeted by the board in its budget. It is not open to the board to transfer funds between the four heads mentioned above.
- (b) The difference between the amount provided in the budget and the actual expenditure by the board each year under each

head shall be kept by the board in an education fund for each head; the education fund for each head shall only be utilized for new buildings, equipment of new schools and similar non-recurring expenditure under the head under which the savings accrue.

- (c) The board shall observe the district board educational rules and other orders of Government in regard to education.
- (d) Government reserve the right (i) to reduce the amount of assistance given to the district board if it fails to observe conditions (a) to (c) above, or it fails to work up to its programme of expenditure (ii) to resume the balance of educational funds which the board shows itself unable to utilize to advantage, and (iii) to resume at any time during the period of three years any grants in respect of items of education regarding which there is a change in the educational system and the retention of which is consequently no longer necessary.
- (e) The grants to be given under the three years' contract now sanctioned shall not be paid annually to the board unless the divisional inspector of schools certifies each year that the board has made full provision in its budget for the prescribed expenditure on each head of vernacular education, that it has credited its unexpended balances from the preceding year to the proper education fund, and that the education funds have been used in the preceding year for the prescribed objects. The education funds under the four heads already mentioned shall be credited by the board on the 1st April each year with the unspent balances of the grants sanctioned in the previous year. This action should be taken for 1924-25, i.e., the four education funds should be credited on the 1st April, 1924 with the balances of the grants under the four heads which the Government would have resumed in 1924-25 under existing orders.

4. The total grants now sanctioned are in excess of those actually paid to the board in 1922-23 and in 1923-24. With these grants the board should be able to work up to a higher number of head masters and assistant masters for vernacular education than are now employed and, being relieved of the previous uncertainty as to the amount of the grant and of the necessity of refunding annually to Government funds unexpended, will be able to utilize the funds to the best advantage. It should be able to increase enrolment, particularly the number of scholars in the upper primary sections.

5. The Governor, acting with his Ministers, has further been pleased to decide that the grants for the current year (1924-25) may be paid to the board at once. Statement "B" showing the grants due to the board is attached. The Accountant-General, United Provinces, is being asked to place the amounts shown in column 6 of that statement at the disposal of the district board as soon as possible.

I have the honour to be,

SIR,

Your most obedient servant,

JAGDISH PRASAD,

Secretary.

No. 493/XV—764.

COPY forwarded to the Commissioner, division,
for information.

No. 494/XV—764.

COPY also forwarded to the District Officer,
for information.

No. 495/XV—764.

COPY also forwarded to the Director of Public Instruction, United
Provinces, for information.

No. 496/XV—764.

COPY also forwarded to the Secretary to Government in the Local
Self-Government department for information.

By order,
JAGDISH PRASAD,
Secretary.

No. 497/XV—764.

FINANCE (B) DEPARTMENT.

COPY also forwarded to the Accountant General, United Provinces,
for information. The charge will be met from the lump provision for
contribution to district boards under the head "31—Education—C. Pri-
mary—Grants to local bodies for primary education" in the budget for
the current financial year (1924-25).

By order,
SURAJ DIN BAJPAI,
Deputy Secretary.

STATEMENT "A."

District.	Verna- cular education (ordinary).	Islamia schools and <i>mak- tabs.</i>	De- pressed class educa- tion.	Female educa- tion.	Total.	Govern- ment grants.	Board's contribu- tion.
	1	2	3	4	5	6	7
Dehra Dun ..	44,000	1,000	600	1,800	47,400	43,500	3,900
Saharanpur ..	1,31,800	10,900	500	2,400	1,45,600	29,300	1,16,300
Muzaffarnagar ..	1,42,900	9,000	2,600	10,500	1,65,000	95,700	69,300
Meerut ..	2,54,700	18,900	11,100	9,200	2,88,900	1,75,200	1,13,700
Bulandshahr ..	1,71,400	6,500	1,500	3,600	1,82,800	40,500	1,42,300
Total, Meerut divi- sion.	7,44,800	41,300	16,100	27,500	8,29,700	3,84,200	4,45,500

STATEMENT "A",

District.	Verna- cular education (ordinary).	Islamia schools and mak- tabs.	De- pressed class educa- tion.	Female educa- tion.	Total.	Govern- ment grants.	Board's contribu- tion.
	1	2	3	4	5	6	7
Aligarh ..	1,78,900	5,500	1,900	12,700	1,99,000	94,200	1,04,800
Muttra ..	1,22,600	2,400	1,700	2,200	1,28,900	71,000	57,900
Agra ..	1,81,700	3,200	2,600	12,600	2,00,100	1,29,500	70,600
Mainpuri ..	1,39,900	5,100	2,000	6,900	1,53,000	88,000	65,000
Etah ..	1,31,100	2,400	4,700	11,500	1,49,500	1,60,500	49,000
Total, Agra division	7,53,300	18,600	12,900	45,700	8,30,500	4,83,200	3,47,300
Bareilly ..	1,43,400	8,800	3,100	9,700	1,65,000	83,700	81,300
Bijnor ..	1,55,500	10,300	1,900	5,000	1,72,700	1,24,100	48,600
Budaun ..	1,44,200	8,400	1,700	4,100	1,58,400	1,16,900	41,500
Moradabad ..	1,89,300	11,100	3,900	7,300	2,11,600	1,15,400	96,200
Shahjahanpur ..	1,52,500	18,100	1,400	3,100	1,70,100	1,47,800	22,300
Pilibhit ..	88,800	2,700	2,200	8,100	1,01,800	84,000	17,800
Total, Rohilkhand division.	8,73,700	54,400	14,200	37,300	8,79,600	6,71,500	3,07,700
Farrukhabad ..	2,02,100	8,400	3,500	10,700	2,24,700	1,48,900	75,800
Etawah ..	1,59,600	2,700	2,500	11,400	1,76,200	1,05,000	71,200
Cawnpore ..	2,43,100	4,200	2,300	10,300	2,64,500	1,52,100	1,12,300
Fatehpur ..	1,46,800	6,200	1,800	1,800	1,56,300	89,800	66,500
Allahabad ..	2,38,300	6,300	6,100	14,200	3,14,000	2,01,500	1,12,500
Total, Allahabad division.	10,44,600	27,300	16,200	47,500	11,36,100	6,97,800	4,38,800
Banda ..	1,57,900	4,700	500	4,800	1,67,900	1,54,100	13,800
Hamirpur ..	1,24,600	4,000	2,200	6,200	1,37,000	1,19,100	17,900
Jhansi ..	1,23,500	2,000	1,600	6,800	1,33,400	1,13,400	20,000
Jalaun ..	1,10,900	3,800	2,000	6,900	1,23,600	1,03,100	20,500
Total, Jhansi divi- sion.	5,21,900	14,500	6,300	24,200	5,66,900	4,94,700	72,200
Benares ..	2,98,400	8,500	3,500	1,400	3,12,200	2,76,200	36,000
Mirzapur ..	1,46,300	8,700	500	2,600	1,58,100	1,40,700	12,400
Jaunpur ..	2,73,100	22,500	3,800	1,900	3,20,300	2,65,500	55,300
Ghazipur ..	2,12,300	10,300	500	3,400	2,27,000	1,86,000	41,000
Ballia ..	2,55,400	15,900	2,400	1,700	2,75,400	2,36,100	39,300
Total, Benares divi- sion.	12,06,000	60,900	10,600	11,000	12,88,500	11,04,500	1,84,000
Gorakhpur ..	4,25,700	16,800	4,400	18,500	5,67,400	3,60,800	1,04,600
Basti ..	3,23,800	12,500	2,600	9,800	3,49,700	2,78,800	69,900
Azamgarh ..	2,93,000	17,900	3,400	13,000	3,27,300	2,38,900	88,400
Total, Gorakhpur division.	10,42,500	46,600	10,400	41,900	11,41,400	8,78,500	2,62,900
Naini Tal ..	74,200	2,300	2,100	4,400	82,000	72,500	9,500
Almora ..	1,65,400	1,800	3,900	4,000	1,75,100	1,59,400	15,700
Garhwal ..	1,49,700	700	700	2,100	1,53,200	1,46,300	7,000
Total, Kumaun division.	3,89,300	4,800	6,700	9,500	4,10,300	3,78,100	32,200
Lucknow ..	1,33,600	6,400	3,500	3,800	1,47,300	1,24,400	22,900
Unao ..	1,51,900	3,500	2,000	3,100	1,40,500	78,700	61,800
Rae Bareli ..	1,78,100	4,700	2,300	4,700	1,89,800	1,31,000	58,800
Sitapur ..	1,73,500	5,300	3,700	5,200	1,87,700	1,13,700	74,000
Hardoi ..	2,41,700	8,700	3,100	19,500	2,62,500	1,98,500	73,700
Kheri ..	1,26,900	3,700	1,700	6,400	1,38,700	1,11,300	27,400
Total, Lucknow division.	9,85,700	31,800	16,300	42,700	10,76,500	7,57,900	3,18,600

STATEMENT "A."

District.	Verna- cular education (ordinary.)	Islamia schools and <i>makh- tab.s.</i>	De- pressed class educa- tion.	Female educa- tion.	Total.	Govern- ment grants.	Board's contribu- tion.
	1	2	3	4	5	6	7
Fyzabad ..	1,97,000	5,800	2,000	8,900	2,13,700	1,52,900	60,800
Gonda ..	1,63,300	7,400	1,300	5,300	1,82,300	1,13,100	69,200
Bahraich ..	1,32,300	10,800	500	3,800	1,46,900	1,32,800	14,100
Sultanpur ..	1,43,500	9,800	2,000	8,400	1,63,200	1,03,600	54,600
Partabgarh ..	1,50,900	4,500	2,400	4,600	1,62,400	1,03,700	58,700
Bara Banki ..	1,43,100	7,000	1,700	13,900	1,70,700	81,200	89,500
Total, Fyzabad division.	6,40,100	44,800	9,900	44,400	10,39,200	6,92,300	3,46,900
GRAND TOTAL ..	85,01,300	3,45,500	1,19,600	3,31,700	92,98,700	63,42,600	27,56,100

STATEMENT "B."

District.	Grant under three years' contract scheme.	Grants for English teaching in middle vernacular schools.	Grant for supervisor of Islamia schools.	Total grant. Columns 1+2+3.	Interim grant already paid, vide G. O. No. 275/ KV-609, dated the 28th May, 1924.	Grant to be paid now. (Columns 4-5.)
	1	2	3	4	5	6
Dehra Dun ..	43,500	..	..	43,500	21,700	21,750
Saharanpur ..	29,300	..	..	29,300	14,650	14,650
Muzaffarnagar ..	95,700	..	..	95,700	47,850	47,850
Meerut ..	1,75,200	..	..	1,75,200	87,600	87,600
Bulandshahr ..	40,500	..	..	40,500	20,200	20,250
Total, Meerut division	3,84,200	..	..	3,84,200	1,92,100	1,92,100
Aligarh ..	94,200	..	..	94,200	47,100	49,100
Muttra ..	71,000	..	..	71,000	35,500	35,500
Agra ..	1,29,500	..	..	1,29,500	64,750	64,750
Mainpuri ..	88,000	..	..	88,000	44,000	44,000
Etah ..	1,00,500	..	..	1,00,500	50,250	50,200
Total, Agra division ..	4,83,200	..	..	4,83,200	2,41,600	2,41,600
Bareilly ..	83,700	..	600	84,300	41,850	62,450
Bijnor ..	1,24,100	240	..	1,24,340	62,050	52,290
Budaun ..	1,16,900	..	..	1,16,900	58,450	58,450
Moradabad ..	1,15,400	600	..	1,16,000	65,000	51,000
Shahjahanpur ..	1,47,800	..	..	1,47,800	83,900	73,900
Pilibhit ..	84,000	..	..	84,000	42,000	42,000
Total, Rohilkhand divi- sion.	6,71,900	840	600	6,73,340	3,43,250	3,30,090
Farrukhabad ..	1,43,900	..	..	1,43,900	74,450	74,450
Etawah ..	1,05,000	..	..	1,05,000	52,500	52,500
Awnpore ..	1,52,100	..	..	1,52,100	76,050	76,050
Fatehgarh ..	89,800	..	..	89,800	44,900	44,900
Allahabad ..	9,01,500	..	..	9,01,500	1,00,750	1,00,750
Total, Allahabad divi- sion.	6,97,300	..	..	6,97,300	3,48,650	3,48,650

STATEMENT "B."

District.	Grant under three years' contract scheme.	Grants for English teaching in middle vernacular schools.	Grant for supervisor of Islamia schools.	Total grant. Columns 1+2+3.	Interim grant already paid, vide G. O. No. 275/XV-609, dated the 28th May, 1924.	Grant to be paid now. (Columns 4-5.)
	1	2	3	4	5	6
Banda	1,54,100	..	..	1,54,100	77,050	77,050
Hamirpur	1,18,100	..	..	1,18,100	59,550	59,550
Jhansi	1,18,400	..	..	1,18,400	59,200	59,200
Jalaun	1,03,100	600	..	1,03,700	51,850	52,150
Total, Jhansi division	4,94,700	600	..	4,95,300	2,47,850	2,47,950
Benares	2,76,200	..	..	2,76,200	1,38,100	1,38,100
Mirzapur	1,40,700	..	..	1,40,700	70,350	70,350
Jaunpur	2,65,500	..	..	2,65,500	1,32,750	1,32,750
Ghazipur	1,86,000	..	..	1,86,000	93,000	93,000
Ballia	2,26,100	..	..	2,26,100	1,13,050	1,13,050
Total, Benares division	11,04,500	..	..	11,04,500	5,52,250	5,52,250
Gorakhpur	3,60,800	..	..	3,60,800	1,80,400	1,80,400
Basti	2,78,800	..	600	2,79,400	1,39,450	1,39,950
Azamgarh	2,38,900	..	..	2,38,900	1,19,450	1,19,450
Total, Gorakhpur division.	8,78,500	..	600	8,79,100	4,39,300	4,39,800
Naini Tal	72,500	..	..	72,500	36,250	36,250
Almora	1,59,400	240	..	1,59,640	79,700	79,940
Garhwal	1,46,200	..	..	1,46,200	73,100	73,100
Total, Kumaun division	3,78,100	240	..	3,78,340	1,89,050	1,89,290
Lucknow	1,24,400	..	..	1,24,400	62,200	62,200
Unao	78,700	600	..	79,300	39,650	39,950
Rae Bareilly	1,31,000	..	..	1,31,000	65,500	65,500
Sitapur	1,13,700	..	..	1,13,700	56,850	56,850
Hardoi	1,98,500	600	600	2,00,000	99,400	1,00,600
Kheri	1,11,300	..	..	1,11,300	55,650	55,650
Total, Lucknow division	7,57,900	1,200	600	7,59,700	3,78,950	3,80,750
Fyzabad	1,52,900	600	..	1,53,500	76,450	77,050
Gonda	1,13,100	..	..	1,13,100	56,550	51,550
Bahraich	1,32,800	..	..	1,32,800	66,400	66,400
Sultanpur	1,03,600	..	..	1,03,600	54,300	54,300
Partabgarh	1,03,700	..	..	1,03,700	51,850	51,850
Bara Banki	81,200	..	..	81,200	40,600	40,600
Total, Fyzabad division	6,92,300	600	..	6,92,900	3,46,150	3,46,750
GRAND TOTAL	65,42,600	3,480	1,800	65,47,880	32,73,650	32,69,230

NON-MEDICAL SUPERINTENDENTS FOR JAILS.

*36. Pandit Nanak Chand: Will the Government be pleased to state if they have considered the question of recruiting non-medical superintendents for 1st and 2nd class district jails specially qualified to

impart industrial and moral training to the prisoners under their supervision and further state their decision on this question, and the steps they propose to take in this connection?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : No. The proposal so far as the Government are aware, is a new one. The Indian Jails Committee of 1919 suggested that whole-time superintendents for the larger district jails might be appointed, but they did not suggest that these superintendents should be specially qualified to impart industrial and moral training. For financial reasons Government have been unable to take any steps to appoint whole-time superintendents.

SUPERINTENDENTS OF POLICE.

* 37. **Pandit Nanak Chand :** Will the Government be pleased to state after what minimum length of service are the following officers considered to be qualified to officiate as Superintendents of Police :—

- (a) Assistant Superintendents ?
- (b) Deputy Superintendents directly recruited ?
- (c) Ditto recruited from the ranks ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : (a) Assistant Superintendents of Police become qualified to act as Superintendents of Police, when they have—

- (1) passed all the prescribed departmental examinations ;
- (2) obtained certificates of proficiency in cavalry and infantry drill and also a certificate of proficiency in the practical test ; and
- (3) have completed their probationary period and been confirmed in their appointments.

(b) The answer is the same as in (a) of this question.

(c) The question of the qualifications required from Deputy Superintendents of Police recruited from the ranks rests on the record of their services and individual ability.

Pandit Nanak Chand : Is the Government required to show any preference in the case of officiating and other appointments to Assistant Superintendents of Police over Deputy Superintendents of Police if both are qualified ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Assistant Superintendents are given preference over Deputy Superintendents under the orders of the Secretary of State.

BORROWINGS FROM THE GOVERNMENT OF INDIA AND ITS EXPENDITURE.

* 38. **Pandit Nanak Chand :** What is the total amount of money borrowed from the Government of India by the Local Government since the floatation of the United Provinces Development Loan and what is the interest that has to be paid on it ?

Will the Government be pleased to lay a statement on the table showing the amount borrowed in each year and the object on which it has been spent ?

The Hon'ble Mr. S. P. O'Donnell: Since the United Provinces Loan was floated borrowings have totalled Rs. 2,52,71,200. The details are as follows:—

- (a) In 1923-24 an advance of Rs. 1,03,89,700 was taken in connection with the construction of the Sarla canals at 6 per cent. Expenditure in that year amounted to Rs. 1,02,55,595.
- (b) In 1924-25 two loans have been contracted at 5½ per cent. On the Sarla canals against the advance of Rs. 1,36,56,500 expenditure is expected to be Rs. 1,11,77,300. The advance of Rs. 12½ lakhs for flood damages, on the revised estimate, will all be spent.

UNSTARRED QUESTIONS.

FLOOD RELIEF FUND, BENARES.

1. **Pandit Yajna Narayan Upadhyā:** Is it a fact that persons applying for licences in Benares were compelled to pay something towards the Flood Relief Fund?

Mr. C. L. Alexander: The answer is in the negative.

MUSLIM AND NON-MUSLIM VOTERS AND MEMBERS OF MUNICIPAL AND DISTRICT BOARDS.

2. **Babu Nemi Saran:** Will the Government be pleased to supply the following statistics:—

The number of Muslim and non-Muslim voters and members of every (i) district and (ii) municipal board in the province, with the population Muslim and non-Muslim separately residing within every such district or municipal area?

Mr. G. B. F. Muir: Information is being collected and is not yet available.

PRIMARY SCHOOLS FOR DEPRESSED CLASSES.

3. **Babu Khem Chand:** (a) Will the Government be pleased to lay a statement on the table showing (a) the number of the primary schools in each district of these provinces for the depressed classes?

(b) The number of teachers from the depressed classes in each district?

Kunwar Jagdish Prasad: Information is being collected and is not yet complete.

ISLAMIA SCHOOL AND *maktabs*.

4. **Dr. Shafa'at Ahmad Khan:** Will the Government be pleased to state (a) the number of Islamia schools and *maktabs* in each district together with the total number of teachers and students in the Islamia schools and *maktabs* of each district?

Kunwar Jagdish Prasad: A statement containing the required information is laid on the table of the honourable member.

HONORARY MAGISTRATES OF BILARI AND.
CHANDAUSI PARGANAS, MORADABAD.

5. **Saiyid Muhammad Ashiq Husain**: Will the Government be pleased to state—

- (1) why the honorary magistrates of Bilari bench, district Moradabad, have stopped working;
- (2) who are the honorary magistrates appointed on the Chandausi and Belari, bench, district Moradabad;
- (3) are there any Muslim honorary magistrates at Chandausi and Belari, if not, why;
- (4) what is the proportion of Hindus and Muslims in pargana Belari and in the municipalities of Chandausi and Belari?

Mr. J. R. W. Bennett: (1) Because no cases have been sent to them.

(2) The honorary magistrates on the Belari bench are—

Sahu Kishan Sahai, Sahu Ram Ratan, and Munshi Har Sarup, and on the Chandausi bench—

Babu Banke Bihari, Babu Bhagwan Das, Chaudhri Manohar Singh, and Chaudhri Sundar Singh.

(3) No. No Muslims have been proposed for appointment.

(4) In the pargana of Bilari there are 142,831 Hindus and 61,427 Muslims.

In Chandausi municipality there are 15,578 Hindus and 7,090 Muslims.

There is no municipality at Bilari.

OCTROI IN SANDILA MUNICIPALITY.

6. **Babu Parsidh Narayan Anad**: (1) Will the Government be pleased to state under what circumstances the octroi duty, which was once levied in the Sandila municipality, was abolished?

(2) Has the board again proposed to levy the duty?

(3) Have any representations been received by the Government from the residents of the place, and, if so, what orders have been passed thereon?

Mr. G. B. F. Muir: (1) Octroi was abolished in accordance with the policy of Government at the time.

(2) Yes.

(3) A representation was received from the traders of the town and was rejected.

PATHANS IN DIFFERENT SERVICES.

7. **Dr. Shafa'at Ahmad Khan**: Will the Government be pleased to state the number of Pathans in the—

(a) judicial service.

(b) the provincial executive service, and

(c) the police?

Mr. C. I. Alexander: The information is not available.

NUMBER OF PATHANS IN THE PROVINCE.

8. **Dr. Shafa'at Ahmad Khan**: What is the number of Pathans in the province?

Mr. C. I. Alexander: 910,709 according to the Census of 1921."

THE BOARD OF HIGH SCHOOL AND INTERMEDIATE EDUCATION.

The Hon'ble the President: The result of the election held yesterday for three representatives of the non-official members of the Legislative Council to serve on the Board of High School and Intermediate Education is as follows:—

- (1) Pandit Govind Ballabh Pant.
- (2) Hafiz Hidayat Husain.
- (3) Lala Mathura Prasad Mehrotra.

THE FINANCE AND PUBLIC ACCOUNTS COMMITTEES.

The Hon'ble the President: The names of the members nominated by His Excellency have not yet reached me. The announcement will be made later in the day.

THE OUDH COURTS BILL.

The Hon'ble the President: There are two amendments to be put to the Council: one amendment from the Chair and another amendment in the name of Mr. Mohan Lal Saksena. The amendment from the Chair is the amendment recommended by His Excellency in returning the Bill for reconsideration of the last proviso of clause 4. Mr. Saksena's amendment covers a part of that. The amendment proposed from the Chair is "that the last proviso to clause 4 of the Bill be omitted."

Babu Sangam Lal: I move that the consideration of this clause be postponed. I do not want to postpone it indefinitely; it may be postponed for an hour, for a day or for three months. My reasons are these. The proviso which we are asked to omit does not stand by itself. It is a necessary corollary to the other sub-clauses of clause 4 of the Chief Court Bill. When the Council passed the other sub-clauses of clause 4, they felt that the rights of Indians could not be properly protected and therefore they inserted this proviso that at least three-fifths of the Judges must be Indians. Now, Sir, when we are asked to consider only this proviso and to omit it, it necessarily follows that if we are to omit it, we must make certain changes in the other sub-clauses of clause 4, so that the same result may be obtained and there be no necessity for retaining this proviso. With this object in view Mr. Hafiz Hidayat Husain, Mr. Mukandi Lal, and myself sent amendments. One gentleman withdrew his amendment, but the other two amendments were disallowed on the ground that the point covered by them was not before the Council. Therefore, I submit that for a proper consideration of the amendment from the Chair, i.e., of the omission of the proviso, it is necessary that proper amendments should be inserted in the other sub-clauses, because as they stand the discretion will vest in the Government of India, they being the persons responsible for the appointment of the Judges of the Chief Court, and we cannot be sure whether three or of all the Judges appointed will be Indians. Now, Sir, our experience of the last sixty years in connection with the High Court shows that this discretion vests in the Secretary of State as well as in the Government of India, but what do we find after sixty years? We find that in the High Court of Allahabad out of seven permanent Judges only two are Indians and out of two Additional Judges we have got only one Indian, while in the other High Courts, I mean Bihar and the Punjab, both the Additional Judges are Indians.

The Hon'ble the President: The honourable member is covering the whole ground in his motion for postponement. The motion by Mr. Sangam Lal is that the reconsideration of this proviso be postponed to a future date. I will put that at once.

The motion was put and negatived.

The Hon'ble the President: The motion now before the Council is the omission of the last proviso to clause 4. I see that Mr. Saksena is present. I did not formally call on him before, but I will do so now.

Babu Mohan Lal Saksena: I move that the following be substituted for the last proviso to clause 4 of the Bill:—

“Provided also that not less than three-fifths of the total number of Judges constituting the Chief Court shall always be persons who have resided in India for a period of at least thirty years.”

The Hon'ble the President: There are before the Council two amendments, one covering part of the other. The first amendment is the omission of the proviso. The second amendment is in two parts—(1) the omission of the proviso, and (2) the substitution of another proviso. When I come to put the question, it will be put in two parts: the omission and the substitution.

Pandit Nanak Chand: Would it not be proper to put the amendment as its substitution?

The Hon'ble the President: No: I will put the omission first and if it is carried, then I will put the substitution.

Dr. Zia-ud-din Ahmad: In view of the assurance of His Excellency and in view of the fact that the object of the provision for Indians has already been achieved otherwise, I beg to move that this proviso be omitted.

The Hon'ble the President: The honourable doctor has interposed, firstly, without being called on, and, secondly, I think, without understanding the proposal before the Council. The actual proposal before the Council is as just made by Mr. Saksena that the proviso be omitted and if that is carried, that a further proviso as proposed by him be inserted in its place.

Babu Mohan Lal Saksena: Before I come to discuss my amendment, I want to make a few observations in regard to the present Bill and the amendment suggested by His Excellency. The members of this House must not have forgotten the cock-and-cat performance of the Hon'ble Minister of Industries during the last budget debate, and, Sir, it was this which reminded me on reading paragraph 5 of the message of His Excellency of another proverbial cat which proposed to go on pilgrimage. Sir, I would just now show by quoting instances which may be multiplied by any number as to what has the spirit of the whole administration been in regard to the Queen's Proclamation, how it has been interpreted so long, how has it been put in practice for such a long time—I will try to show this. Sir, whether in the court-room or in the jail, whether in the hospitals or the lunatic asylums, whether in railway stations, in every field we find that the policy of the whole administration has been marked by racial distinction. Even in the regulations which have been framed by this Government of which His Excellency is the Head, there are distinc-

tions which in regard to the admission of certain classes. Sir, I have not got the police regulations with me, but I will just point out to the House the fact that it is provided in those regulations that no persons except a European can be recruited as a sergeant. Sir, that regulation was subsequently modified in 1918 and it was added that an Anglo-Indian may also be added after the word "European." Another amendment was made to it in 1918 or 1919—I do not remember the exact year when it was said that these Anglo-Indians and Europeans should be British subjects. Sir, in the face of that regulation which still appears in the police regulations and which was supplied to me by the Hon'ble the Home Member in reply to a question I put the other day, that there are certain communities members of which should not be recruited in the police service. Just now I shall not be able to cite the specific regulation to which I have referred, as unfortunately I have not at present got it with me. I would refer the honourable members to another provision in the Criminal Procedure Code, section 29(a), which says that no magistrate of the 2nd or 3rd class shall inquire into or try any offence which is punishable otherwise than with a fine not exceeding Rs. 50, where the case is of a European British subject. Is this the racial equality which is guaranteed by the Queen's Proclamation that a European offender cannot be tried by a second or third class magistrate? Is there any special feature of the crime of a European which deprives the second and third class magistrates of the right to exercise their jurisdiction to try him? If there are any special features in regard to the crime of a European, I submit, Sir, that it is not at least inconsistent with the spirit of this section to insist that at least three-fifths of the Judges of the Chief Court should be Indians, because we are conferring under the new Bill special powers, powers which are not enjoyed by certain High Courts and it is necessary that the Bench of the Chief Court should have persons who have had special opportunities of knowing the customs, the language, and other special features of the country. No European however long he may have resided in India, or served, is expected to be fully acquainted with them. In view of these circumstances I ask the honourable members if it is inconsistent with the spirit of the section which I have just now cited. It has been said in the message that this proviso is against the Government of India Act. I may only refer the members to page 122 of the report of the Reforms Inquiry Committee which has been just now published and there it is said about section 36(5),—Constitution of the Governor General's Executive Council—this was a memorandum prepared by the Hon'ble the Home Member and the Law Member of the Government of India with regard to the possibility of advance in the present Act—it is said:—"Excluding the Commander-in-Chief there are six members of the Executive Council: three of these are required to have the 10 years' qualification. There is thus a practical limitation upon the power of prescribing qualifications under sub-section (5) as rules can only be made in regard to the qualifications of a maximum of three members unless His Majesty increases the number of members of Council under sub-section (2). In regard to these three members also so far as one of them is concerned this assumes the possibility of imposing an additional qualification upon the legal qualification already imposed as regards one member in sub-section (3)."

It is to the latter portion of this paragraph that I want to draw the attention of this House which runs thus—

"It would be legally possible by rule under section 36(5) to prescribe that a certain number of members of the Executive Council shall be

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appointed from amongst the elected members of the Indian Legislature. It has further been suggested that it would be legally possible to prescribe that a certain number of members of the Executive Council should be Indians. The basis of this suggestion is that the word 'qualification' is also used in clauses (c) and (d) of section 64(1) of the Act in regard to electors and members of the two Houses of the Indian Legislature, and that under provision the qualification of being a member of a particular community has been prescribed in the Electoral Rules."

So the members who are responsible for preparing this memorandum are of opinion that it is possible to make a rule under the Government of India Act to the effect that certain members of the Executive Council of the Viceroy should be Indians. It is not on the basis of racial distinction but on the basis of a special qualification. They consider it is necessary that at least three members of the Council should be Indians—which gives them a special qualification which other members belonging to other races are not entitled to. Again, I want to draw the attention of the House to one more fact. It is said in the Queen's Proclamation :—"And it is Our further will, that, so far as may be, Our subjects, of whatever race or creed, be freely and impartially admitted to offices in Our service, the duties of which they may be qualified by their education, ability, and integrity, duly to discharge." Sir, since this Proclamation great changes have come and it will not be proper to accept that this should be enforced in India in the sense that it was promulgated then. We know that the dominions, the citizens of which by virtue of this Proclamation will be entitled to be recruited in the services here, do not even allow Indians to enter into their territory. How can it be humanly expected of us that by virtue of this Proclamation we should not only allow them to come to India but to administer justice to us or to take part in the government of the country. Whatever might have been the circumstances then, now it is not possible for us, situated as we are, and in view of the world forces, to allow this provision. Again, Sir, as for these promises, as I have already pointed out, regulations have been made which amounted to a negation of this Proclamation; and now it does not lie in the mouth of the sponsors of this Proclamation, who have thus treated it as a scrap of paper, who have honoured it more in its breach than in observing it, to ask us on the authority of that Proclamation to delete this proviso. I have not got here the regulations for admission to the competitive examination for police superintendships—these were framed in 1914, but it is stated there that for the Indian Police Service it is only Europeans who shall be admitted. These rules have been incorporated in the report of the Islington Commission and honourable members of this House can refer to it. If after the Queen's Proclamation such regulations can be framed, depriving Indians, or rather prohibiting the entry of Indians into the Police Service, it cannot be said now that it is unjust and unfair and against the spirit of the Proclamation that a member of any community should be prohibited from becoming a Judge of the Chief Court.

Again, Sir, I would refer honourable members of this House to the rules that have been framed by the Americans in regard to the recruitment of the services in the Philippine Islands. Here I have got an extract from the rules.

"Philippinization of the Government services was the policy of President Mackinley in his organic letter of instructions and has been endorsed with emphasis as a principle by succeeding Presidents and Governors General of the islands." And the Civil Service Act lays down—

"Section 6.—In the appointment of officers and employees under the provisions of this Act the appointing officer in his selection from the list of eligibles, furnished to him by the Director of Civil Service shall, where other qualifications are equal, prefer—

"First, natives of the Philippine Islands or persons who have under and by virtue of the Treaty of Paris acquired the political rights of the natives of the islands;

"Second, persons who have served as members of the Army, Navy or Marine Corps of the United States and have been honourably discharged therefrom;

Third, citizens of the United States."

So honourable members will see from this that the Americans who conquered the Philippines, come last of all. The Act lays down that it is the sons of the soil, the Philippines, who have the first claim to the services. Again, Sir, it is stated there that Americans shall get appointments only when there are no competent Philippines available. Compare the state of affairs here in India with that there; what do we find? We find that Lord Meston is going about touring and doing propaganda work in England for enlisting recruits. It is to the shame of all of us here that he is being paid out of the funds of India. It may be only "out-of-pocket expenses" as has been stated in Parliament. All the same, he is being paid by us. When we in India have a number of competent Indians who have held their own against Britishers, when we find that the British people, at any rate, the first class men among them, are not willing to come to India, I do not see any justification for this propaganda, touring and appealing to the third-rate Britishers to come and take part in the administration of India. Is it at all consistent with the Queen's Proclamation? If there were not sufficient number of competent Indians available here it could have been justified. But we find that there are any number of Indians*available and still this is going on. During the last decade there were any number of competent Indians whose claims have been overlooked and in whose place young Europeans have been brought from England and put over their heads. We find that Sir P. C. Ray has only lately been included in the Indian Educational Service. His merit has been recognized all over Europe. But the Government here appointed him to the Indian Educational Service only after his merit has been recognized all over the world.

Again, I would refer to the treatment of prisoners in jail. Reference has been made before in this House about the incident of flogging Anglo-Indians. I put to the honourable members of this House to consider what steps His Excellency took to prevent this racial distinction in regard to the flogging of prisoners. The other day the incident in which Dr. Lubeck was refused admission in the hospital in Mussorie was brought to the notice of the Council. We find that everywhere this racial distinction is being maintained. I submit that, in view of all these facts, it does not look graceful on the part of His Excellency to come forward with admonishment to the members of this Council and say that they have been wrong in making that provision.

Personally, I am in favour of Indianization of services for the reason that the employment of foreigners in the services amounts to a triple

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wrong on Indians. Firstly, the appointment of a foreigner deprives an equally competent Indian of the bread. Secondly, a great part of the salary of the foreigner is remitted out of India, which does not derive any benefit out of the salary that is paid to him. Thirdly, when he retires, that adds to the salary bill and so much more is taken out of India for which we get no return. I consider these foreign masters of India as so many outlets which are draining the wealth of India, which are sapping the vitality of our country. As for the claim that the employment of these men in the services will make us more fit or more competent for self-government, I do not agree in this theory. I believe that every nation has a natural right to govern itself, and no nation, however good, can rule as well another nation, as the members of that particular nation. My friend says here that good government is no substitute for self-government. But I would only cite the well-known saying of John Stuart Mill, who says one nation cannot rule another without great injustice to the members of that nation. If I have brought forward this amendment it is simply to ease the conscience of His Excellency, who has found so much difficulty in giving his assent to the Bill as it stands, and my amendment only wants to bring out into prominence the fact that it is by way of qualification that we insist that three-fifths of the Judges should be Indians and I have worded the proviso in that spirit: "Provided also that not less than three-fifths of the total number of Judges constituting the Chief Court shall always be persons who have resided in India for a period of at least thirty years." Why have I fixed it to be a period of thirty years? It is on seeing that Europeans who have lived in India, who have resided even for thirty years, are not able to understand our language and our customs. With due deference to our honourable friend the Hon'ble the Finance Member who has put in as many years of service in India as I have got to my age and who had got vast experience and who has also passed the efficiency examination in vernacular, I submit, Sir, that he is not able to express himself in the vernacular of India even in the same faulty and halting manner as I do in English. How can you expect that he can interpret the documents that are brought before him when he cannot himself go through them? How can you expect that he will be able to interpret them from the translations in the same manner as the original ones and I would only refer the honourable members to a passage from the *Pioneer* which I have got:—"It may be affirmed without fear of contradiction that there are less than a score of English civilians who could read unaided, with fair accuracy and rapidity, even a short article in a vernacular paper and those who are in the habit of doing this or could do it with any sense of ease or pleasure could be counted on the fingers of one hand."

When this is the state of affairs, I would only appeal to the honourable members of this House to insist upon the inclusion of this proviso in the form that I have suggested. It is in the interest of the administration of justice in the province of Oudh that this proviso is necessary. We are conferring original jurisdiction which will involve the fate of estates valued at crores of rupees, and it is necessary that there must be persons on the Bench competent to interpret the customs, the language, and the manners of the people of the land.

Sir, in the message His Excellency has said that the proviso is in practice not needed to secure the adequate representation of Indians in the

Chief Court, because under the other provisions of the Bill it is certain that, as a general rule, three Judges will be Indians. But it is easy to see that the enactment of the proviso, taken in conjunction with the other prescriptions of clause 4, might in certain contingencies have the result that the three Indian Judges were not the best three Indians available who might be appointed." I am referring only to the last sentence "that the three Indian judges were not the best three Indians available who might be appointed." I put it to the honourable members of this House—is it not an insult to the intelligence of the people of Oudh, to the intelligence of the members of the Oudh Bar, to the members of the provincial service, that there may come a time when there will be three Indians available who will not be able to fill with competence the seats of three judgeships in the Chief Court? When we have got a number of Indians to fill judgeships in so many provinces can we not get three Indians in the province of Oudh to fill three judgeships? It is simply to confuse the issues and to win the votes of the landed aristocracy that this has been cited and I hope they will at least on this occasion rise equal to it and they will understand the noose that has been laid to entrap them. I would conclude my speech after citing the police regulations to which I have referred.

It says:—"Sergeants are appointed by the Inspector-General. They must be Europeans." Afterwards this was amended that after Europeans in the second line delete the full stop and add "or Anglo-Indians." Now, it runs:—"Sergeants are appointed by the Inspector-General. They must be Europeans or Anglo-Indians." This is the regulation in the department over which His Excellency had the honour of presiding as the Head of the department before his elevation to the present office of Governor, and when this rule was maintained intact even during the term of his office, I do not think it looks graceful from him to come forward with an admonition to the members of this Council that they have gone against the Proclamation of the Queen, against the Government of India Act, and against the Instrument of Instructions—about which I will submit later on in the course of the discussion on the Reforms Inquiry Report as to how these instructions have been flouted even by His Excellency.

Nawab Muhammad Yusuf: I rise to support the amendment moved by the Chair, namely, that the last proviso to clause 4 may be omitted. It will be recognized on all hands that His Excellency the Governor in returning the Bill to this House and in particularly drawing the attention of this House to the amendment that it passed the other day was perfectly justified. The constitutional position that he has taken is entirely correct. The constitutional theory on which he takes his stand is right. I will make bold to say that it is our business, it is the business of the Legislature, to see that constitutional theories and constitutional principles are not tampered with or interfered with in any way. It is perfectly clear that the amendment that we passed the other day is opposed to the spirit of the Proclamation and to section 96 of the Government of India Act and also to the Instrument of Instructions to the Governor. The provisions of the Proclamation will make it quite clear that His Majesty's Government cannot with equanimity be a party to any racial distinction being created or raised. The provisions of section 96 make it abundantly clear that the Government is not willing to accept the policy of any racial discrimination being incorporated in any Statute. The instructions of the Governor make it quite apparent that the Governor has to jealously safeguard the theory

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of the constitution and particularly its principle that no section of His Majesty's subjects should be put under any disability by any Statute in getting Government service or be qualified for getting a particular service because of his nationality. Now, Sir, let us see as to whether there is any real fear of this racial discrimination going to such an extent that there would not be three Indians in the Chief Court. We find, Sir, that two of the Judges will belong to the Indian Civil Service cadre and the chances are that one of them would be an Indian; for instance, there is Mr. Dalal. He cannot possibly be overlooked. Then coming to the provincial service we find that the Judge who may be recruited from this service is bound to be an Indian. Then from among the members of the Bar at least one is bound to be an Indian, if not two. Supposing one man is a European from among the members of the Bar, even then, I would say, that the position of three Indians in the constitution of the court is absolutely assured. However, I am bound to say, that fears are entertained, having regard to our past experience, that the Government may not do justice to the cause for which we stand here. Our experience in the High Court certainly tells us that Indianization there has not made much progress. During the last twenty-five years, we find that not a single Indian has ever been given an officiating chance in place of a European. It is only in 1925 that we find that His Excellency Sir William Marris has been able to appoint an Indian as an officiating Judge in place of a European; that is, Mr. Lalit Mohan Banerji. We also find that the same gentleman as an Indian has only once got the post of Government Advocate. Well, this is a very sad commentary indeed, on the activity of the Government in giving posts to Indians, and probably the honourable members of this House will be justified to some extent in entertaining doubts as to whether Government will in future pursue the same sort of policy of not giving chances to Indians and not giving their rightful claims to them. I hope, however, that the Government will come forward and make a clear statement and give a clear assurance that they are prepared to have at least three Indian Judges in the Chief Court for all time to come as far as possible. We realize the difficulty of the Government. The position that Government has taken is certainly perfectly clear and justified. The constitutional position that Government has taken is perfectly unassailable, and we cannot have a real reason or ground to assail them. Therefore, Sir, I do hope that the Government will give in unmistakable and clear words the assurance that at least three of the Judges in the Chief Court will be Indians, even if the proviso in question does not exist in the Statute. The proviso constitutes a dangerous precedent. If such a proviso can be made in respect of 60 per cent. of the judgeships it can be made in respect of 80 per cent. or 90 per cent. appointment of them, and so, if it can be made on behalf of Indians, it can be made on behalf of any community which happens to be dominant in the Legislature, to the prejudice of minority communities. Supposing we get *swaraj* or Home Rule in India, then the party which may be in a majority or which may be in power might impose conditions prejudicial to the interests of the minority. Consequently, it is incumbent on us not to take up a position which might ultimately be utterly indefensible.

My friend Babu Mohan Lal Saksena has pointed out that in the police regulations racial discrimination has been made in favour of Europeans for the post of sergeants. I admit that such a state of affairs is most

deplorable, and I hope the Government will come forward with a statement and clear its position on the subject. All the same, there is a world of difference between the regulations and the Statute. The regulations are only rules made under the law with a view to give effect to a certain plan or scheme. They can be altered to suit the convenience of the people. The Statute, however, must normally stay for all time; it cannot be altered in a hurry and it must be jealously safeguarded by all concerned. Therefore I do feel that it is not possible to embody such an amendment in the Statute.

Moreover, there is no reason for fear that out of the five Judges three will not be Indians. To my mind, if two Judges are recruited from the Bar, in all probability there will be four Indian Judges in the Chief Court, for the faces of men like Mr. Jackson are not likely to be seen after, say fifteen or twenty years. Besides, European barristers are not likely to come to India to settle down here and practice in Indian courts. Again, as honourable members are aware, the number of Indian I. C. S. officers is bound to increase year after year, and so there is every likelihood of both of the Indian Civil Service Judges being Indians.

Babu Mohan Lal Saksena has quoted the example of the Philippines. He has said that they have a preferential claim to all appointments in the public services as against outsiders. I admit that this is so, but honourable members should not lose sight of the fact that they have got a constitution of their own. That being the case, their position is perfectly justified. We have not got responsible Government. We have not got self-government to have a proviso like that incorporated in the constitution itself. I do not agree with those who seem to think that a proviso like that should not be incorporated in the constitution itself as a safeguard for the interests of the minority. If it is provided in the constitution it will be quite clear that we could add a proviso like that. Our position would have been perfectly clear and in the Chief Court too we could constitutionally demand at least three Indian Judges under the Bill. With these words, I strongly support the motion made by the Chair and oppose the motion made by Mr. Saksena.

The Hon'ble Mr. S. P. O'Donnell: I hope, indeed I am sure, that the Council will consider this matter calmly, impartially, and in the light of reason. I am sure also that honourable members will dismiss as unworthy of consideration any idea that a decision once given should never be reconsidered. There is provision in the constitution of many countries for the reconsideration of Bills. The House of Commons has repeatedly reconsidered clauses of Bills and only the other day the Assembly reconsidered its decision regarding the rate of duty on salt. Now, Sir, an attempt has been made to argue that the amendment recommended by His Excellency the Governor is designed to defeat the just claims of Indians. Sir, I deny the suggestion. I repudiate it with all the emphasis at my command. Sir, I admit and I have always admitted that there has been just ground for complaint in the past in regard to the policy pursued in regard to the services. I have said so more than once. I have more than once said that in my opinion a great mistake was committed and that the recognition accorded to the claims of Indians was tardy and inadequate. I think it may be fairly claimed that at any rate during the last five years a good deal has been done to remedy that mistake. A big step forward was taken in 1920 and now another great advance is about to be made. But, in any case, the object and the intention of this amendment is not to defeat the just claims of Indians nor will that be its effect. His Excellency the

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Governor has pointed out that the proviso in practice is not needed to secure the adequate representation of Indians on the Chief Court because under the other provisions of the Bill it is certain that, as a general rule, three Judges will be Indians. Further, I can say this that if this Bill becomes law it will be necessary for us this year to make our recommendations regarding the first appointments to the Chief Court and in that event it is our intention, as it has always been our intention, to recommend two Indian lawyers under clause 4(2). That, Sir, means that if our recommendations are accepted the Court will start with at least three Indian Judges. That is my answer to the suggestion that the object of this amendment is to defeat the just claims of Indians. That is not so. The Bill has been returned for reconsideration solely on the question of constitutional principle, solely in consequence of this proviso which is without precedent in the legislation of England and India and, I believe, of all other countries. As to the amendment of Mr. Mohan Lal Saksena he made it perfectly clear that it does not differ in any single essential respect from the original proviso. He himself emphasized the fact that the amendment was of an entirely verbal character, that he was merely substituting one set of words for another set and that in principle his amendment was identical with the original proviso. Sir, the taluqdars and the people of Oudh have for many years set their heart upon the establishment of a Chief Court. Much time and labour have been devoted to this measure and not least by my friend the Home Member. Many difficulties have been overcome; and the goal is now in sight. There is only one obstacle and that obstacle is one which it is in the power of the Council to remove. It is admitted, Sir, even by those who do not often see eye to eye with us that this proviso is unconstitutional and I appeal to the Council to recognize that it is unconstitutional and to agree to its deletion and to reject the purely verbal amendment moved by Mr. Saksena.

Mr. Mukandi Lal : The Hon'ble the Finance Member has asked us to deal with this matter coolly and calmly. We always love reasonableness and calmness. Not only that, but I will deal with this question as a lawyer as I would do in a court of law. So far as I am concerned, whether there are assurances or whether there are no assurances, I am going to take my stand on law and on the interpretation of law. Therefore I cannot be persuaded to give up my stand that I took when we discussed this amendment. The amendment that was passed by 43 votes against 29 votes ran thus :—

“Provided that the number of Indian Judges appointed to the Chief Court shall, at no time, be less than three-fifths of the total number of Judges constituting the said Court.”

Sir, I welcome the opportunity of this Bill or of this clause being sent back to us and I do so for the reason that I find myself standing today in this House like a prophet. It was in 1917 when I was still in England that this Reform scheme was being discussed, and I wrote a series of articles in an English newspaper, wherein I pointed out the dangers of the power that was being given to the provincial Governors and the Governor General of certifying legislation over the heads of Legislatures and of sending back the Bills passed by them for reconsideration as well as the power of making laws over the heads of Legislatures. This is the

most fatal power which turns a Legislature like ours into a mere debating society. Examples of other countries have been placed before us. Yes, I am prepared to abide by the constitutional law of those countries if we have all the safeguards under the constitutional law which prevails in other countries. Unless and until you give us the same constitution as you have given to Canada, unless and until you give us the same constitution as prevails in Great Britain, unless and until you give us the same constitution as prevails in America, there is no justification for you to come back to us and throw at us a clause which we passed only on the 6th March, almost unanimously, so far as the non-official members are concerned, no doubt a few joining the Government in voting against the motion. Again, I take my stand on this fact. When we used to dangle, before you the Queen's Proclamation as our Charter, it was to John Bull a red rag and when you used to be frightened because we asked for our legitimate rights, there came up Lord Curzon who gave an interpretation to the Queen's Proclamation quite against the spirit. Are we to believe in his interpretation or are we to believe in the interpretation now put by Sir William Marris? In his sixth budget speech Lord Curzon said :—

“The highest ranks of civil employment in India, those in the Imperial Civil Service, though open to such Indians as can proceed to England and pass the requisite tests, must, nevertheless, as a general rule, be held by Englishmen.”

This is what he said in his sixth budget speech, and when he was taken to task by Mr. Gokhale by reading to him some sentences of the Proclamation of 1858 in which the Great Queen said “We hold ourselves bound to the natives of our Indian territories by the same obligations of duty which bind us to all other subjects. . . . We declare it to be our royal will and pleasure that none be anywise favoured . . . So far as may be, our subjects, of whatever race or creed be freely and impartially admitted to office in our service, the duties of which they may be qualified by their education, ability, and integrity duly to discharge.” To the words “so far as may be” Lord Curzon in his seventh budget speech gave us an interpretation which is a historic interpretation. This is what he said about the Proclamation of the Queen in replying to the concluding portion of Mr. Gokhale's speech :—

“He (Mr. Gokhale) referred to the Act of 1833 and the Queen's Proclamation of 1858. I am familiar with both those documents, and I also remember—which those who quote them sometimes forget—that the late Queen's words contained a qualification, not indeed modifying their generosity, but limiting their application by the necessary tests, firstly of practical expediency, and, secondly, of personal fitness.”

The words that Lord Curzon was commenting on were the words of the Queen; “so far as may be”—I take my stand on those very words—there will be no racial bar that was the intention of Queen Victoria. But have you not kept the racial bar? We have been pointing out that in season and out of season. If you say that because of the Queen's Proclamation, because of the Government of India Act, you are not prepared to Indianize the services, what is the meaning of your appointing the Lee Commission? The Commission has recommended that 33 per cent. of the Indian Civil Service cadre should be Indians on the re-organization of the services and the ratio will go on increasing until in 1930

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there will be 48 per cent. Indians in the Indian Civil Service. As to the Forest Service, they say 75 per cent. will be Indians. If we are not to benefit by the Lee Commission, do you mean to say that you wanted to saddle us with the stupendous expenditure incurred on that Commission and when we say that you should codify the recommendations of that Commission, you dangle before us the Proclamation of the Queen and the sections of the Government of India Act? In spite of these recommendations, the Proclamation and the promises that you have made, we find that in the Foreign and Political department of the Central Government there is only one Indian; while there are 20 Europeans, in the Home department there are 3 Indians against 50 Europeans; in the Finance department there are 15 Indians and 27 Europeans; and in the Army Finance department 3 Indians and 16 Europeans. In the Public Health department there are 5 Indians and 15 Europeans. I could go on multiplying the list. Why should we go outside? In this very Council if you look at the opposite benches, you will find that there are 17 Secretaries and Heads of departments, but I ask you how many Indians are there? There is only one solitary figure and I feel pity for him when he goes about those progressive benches and does his bit of the work.

We have been reminded that the services are being opened to Indians. Very well; but do you mean to say that the message has been sent to us so that there may be a truce and the efforts of Lords Birkenhead and Meston may succeed and create an army of men in England for the Indian Civil Service, so that there may be a truce until they are trained and then you will let loose that army of the I. C. S. men on us and will cover yourselves with the Queen's Proclamation and the Government of India Act. I am prepared to take my stand on section 96 of the Government of India Act referred to in the message of the Governor, I will give you my interpretation of section 96, and I challenge any Government lawyer or the Legal Remembrancer to say that my interpretation of section 96 is wrong. Section 96 says:—

“No native of British India (mark the words), nor any subject of His Majesty resident there in, shall, by reason only of his religion, place of birth, descent, colour, or any of them be disabled from holding any office under the Crown in India.”

Firstly, the provision that we have made on the 6th March does not disable anybody. It only opens further chances for others. That is one interpretation. If you say that by corollary it does disable some, then I draw your attention, Mr. President, to what the Act says. It does not refer to Europeans, it refers the Indian subjects. “No native of British India,” that is what the Act says. We are not going to disable any British Indian. We are disabling only Europeans if at all. Then, again, the section says “nor any subject of His Majesty resident therein.” There also we are not debarring any residents of British India. Our clause, if it is accepted and ought it to be accepted, will only create further chances for Indians.

There is yet another point. You cannot plead that our amendment violates section 96. It does not, because section 96 relates only to Indian subjects and we are not putting a bar against any Indian subject or any residents of India. “No native of British India, nor any subject of His Majesty resident therein”—these are the words. We are not disabling any native of British India. But if you take your stand on this section, how do you propose to safeguard the interests of the minorities? Whether

it be right or wrong, whether it be fair or otherwise, we Indians have taken our stand on the safeguarding of the interests of the minorities. How are you going to safeguard the interests of the minorities unless you are prepared to make legislation in that direction? If you take your stand on this section, and will not say that so many posts will go to this community and so many to that community, how are you going to safeguard the interests of the minorities, if you profess to do so? Questions may rise and Mr. David may say:—"We are lost in this bewildering sea of Indian nationality and we want to safeguard our interests." Rightly our Muhammadan friends may claim that a certain number of posts should be assigned to them. As a matter of fact, we have adopted this practice in the case of deputy collectors and certain other services. I ask, how are you going to work out this very scheme of safeguarding the interests of the minorities if you are not prepared to go so far as we want you to go. Then it has been said by the Hon'ble the Finance Member that they are prepared to accept it in practice. If you are prepared to accept it in practice, what prevents you from making it a law? Tomorrow another Finance Member may put another interpretation. Different interpretations have been put on the Queen's Proclamation. There is nothing to prevent any other member of the Government from coming forward and putting a different interpretation on the words of the Hon'ble the Finance Member. He may come and say that he is not bound by the words or the promises of the Hon'ble the Finance Member.

His Excellency the Governor has said, and very rightly, that it is difficult for him to assent to this racial prescription. It is difficult; there are so many things which are difficult; but it is not impossible. It may be difficult, and that is why we request him to reconsider the position according to the wishes of this House and make his difficulty possible of solution. He does not say that it is impossible. It is not impossible at all. Therefore, I will not take the time of the Council any further though there is much to be said on this point, and give my whole-hearted support to the amendment proposed by my colleague Mr. Mohan Lal Saksena. In giving my support to that amendment, I submit that it does not give room for racial bar. It removes the racial bias and therefore the Government ought not to have any scruples in accepting the amendment proposed by Mr. Saksena which expressly includes all those Indians who will make India their home. As a nationalist—and all nationalists are of the same opinion—I want to make our country not the home of Hindus and Muhammadans alone but the home of all those people who will throw their lot with us and serve the country for the benefit of the country and of the people, will reside with us and make a common cause with us. I therefore appeal to the House not to go back upon their past resolution. They should stick to the amendment of Mr. Saksena and vote as strongly as they did on the last occasion.

Lala Mathura Prasad Mehrotra: We are indeed very grateful to His Excellency the Governor for sending this Bill back for our reconsideration. The members of this Council, I am sorry to say, were not treated fairly in the first stage of the Oudh Courts Bill. A date was appointed for the consideration of the Bill, a number of amendments were put in by the honourable members of this House and when we were going to consider and discuss them it was said that they could not be considered without the sanction of the Government of India. Before I go into the merits of this

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question, I most emphatically repudiate this unique procedure and breach of privilege of this House. But this time His Excellency the Governor has sent this Bill for the reconsideration of this House without using his own powers of certification. If he had vetoed it, we would not have been able to express our view at all on this question. I entirely agree with the arguments advanced in his message except his plea about the racial question. He says :—"The Governor finds that the last proviso to clause 4 requires that three-fifths of the total number of Judges shall be Indians. It is difficult for me to assent to this racial prescription." I disagree with this sentence only. As has already been put before this House, the racial question is everywhere. We may go to whatever walks of life we want and we will find everywhere this racial question. There are clubs in which Indians are not allowed to enter, there are trains which are specially reserved for Europeans, and there are posts which are reserved for Europeans. The racial question is there and nobody can deny this. I rise to support the Bill upon some other considerations. Sir, the Bill has been brought before the House after a very long time. It has been the earnest desire of the people of Oudh to have a Chief Court from a quarter of a century.

The Hon'ble the President : The honourable member need not enter into the history of the question. The actual matter for consideration now is the question of the proviso. All the past history is not relevant.

Lala Mathura Prasad Mehrotra : I am not going into the history, Sir, it is the desire of the people of Oudh to have a Chief Court as soon as possible and if this proviso is not omitted today it will be postponed for an indefinite time. Sir, it will be just like a cup of water being brought near the lips of a thirsty man and then dashed away. The case of the people of Oudh will be exactly the same as that of the thirsty man. We have passed the Bill and for one single provision only it is going to be postponed for an indefinite period of time. Then, Sir, there is another consideration. Since the assuming of office by the Hon'ble the Home Member his chief idea has been to get this Bill passed in the tenure of his membership. He made all the efforts that he could and now only a few months are left to his office and it is his chief desire that the law should be enacted during his time. Sir, so I make my position quite clear that I am not supporting this Bill; upon racial question, but I support this upon these questions. Besides this, the Bill has emanated from this House and it will always be possible for this House to bring in an amendment when the Government fails in its promise. Today we are getting a definite assurance that not less than three-fifths will be Indians.

I hope that the Hon'ble the Home Member will set a precedent for all the time and instead of three he will appoint four Indians to show that this proviso was standing in his way. So, Sir, when it is always open to this House to introduce an amendment to this section whenever Government fails in its assurance, I do not see any reason why we should not accept now.

Rai Bahadur Babu Shankar Dayal : I am extremely glad that I have got a chance to speak on this matter. Sir, the proviso as it stands rather involves a racial question. Oudh is, no doubt, the garden of India, and it always claims rather extreme demands. In the Bill it has already secured original jurisdiction for the entire province and now it wants to go further

and claim three-fifths of the posts for Indians. Sir, the Hon'ble Mr. O'Donnell has given his views. I should say this is his personal view and it is not shared by the majority of Europeans at home, that is England. I had a talk with some and they told me their ancestors had sacrificed their lives and adopted the policy to acquire India and thus they claim that they are entitled to get a larger share in the administration of the country than Indians. I quite agree with them in this respect. Really if India had been the conqueror of England then I think Indians would hardly have allowed Europeans to hold three-fifths of the posts. Whatever may be the views of other members here, so far as I am concerned, I can say that if the Hon'ble Mr. O'Donnell had approached me and I had been the Governor General of one of the provinces of the British Isles, and if he had asked me for a post, I would have told him "Look here, Mr. O'Donnell, as far as your qualifications of head and heart are concerned, I would be willing to appoint you as Governor, but as you are a member of a subject race, consequently I shall do you the favour of appointing you as munsarim of a subordinate judge's court and by the time you retire you will get the post of munsarim in a district judge's court." Now, Sir, my opinion is this, and I hope the honourable members of this House will consider that, so long as we Indians are a subject race, we are not entitled—we may claim, but if our demands are rejected by our masters we should not resent it. So long as we are men of a subject race, it is our duty to obey our masters just as our old hero Raja Harish Chandra did his Dom master. Well, Sir, going further, this is not only my opinion, humble as I am, but it is the opinion of Mahatma Gandhi also and also of the late Lord Lawrence who was Viceroy of India. He said that either you should be submissive or draw swords and meet us. We are not ready to meet them, so it is our duty to be obedient. Therefore it is our duty that so long as we do not find ourselves strong enough to meet our masters eye to eye we should be submissive to them. When that time may come God knows, but so far as I guess it is far distant.

Mr. Saksena's attention has not been drawn to these facts. He says that we are insulted because the majority of the office-holders are Europeans. There is no insult, Sir, because our position is that of hewers of wood and drawers of water. It is our duty to serve as *khansamas* to our masters. Mr. Saksena has also cast certain reflections upon Mr. O'Donnell as to his knowledge of our vernaculars. I will take it as a pride if Indians were to speak English just as *khansamas* do. There is no doubt that Urdu is a foreign vernacular to Europeans, and I think Europeans are acting wisely if they do not study the vernaculars of other races. It is our folly that we take pride in the fact that we are good orators in English. I must thank my masters in this, that so far as history tells us Red Indians have been wiped out by Europeans—I mean by the whites, while we, on the other hand, have been saved—rather our population has been increasing day by day. It is rather surprising that Europeans are allowing Indians to sit side by side with Europeans on the bench, not only here in the High Courts but even in the Privy Council. I am extremely glad that Europeans are appointed to high offices. If an Indian becomes the favourite of a European holding a very high post, say a Governor or a Viceroy, then that favourite has a chance of filling any high post from that of a Governor to that of a Minister. On the other hand, if an Indian were appointed to a high office he will try to sacrifice the members of his own community. I know, as a matter of fact, there is

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a gentleman who is holding a high post, but now he does not see even his own relatives. If, perchance, he becomes the Judge of the High Court or the Chief Court, I think he might refuse to see even his own wife and children. I hope honourable members will not think that my speech has been bribed, I have said these things because I have been inspired, though, not as a prophet, to do justice to every human being, specially to our masters. I do not aspire to any post; nor have I got any chance, not belonging to the landlord class; nor have I got any relatives for whom I should get appointments.

Rai Bahadur Thakur Mashal Singh: Why not judgeship of the Chief Court?

Rai Bahadur Babu Shankar Dayal: I discard it.

Now, Sir, lastly I will submit that it is surprising that the proviso was added at the suggestion of a member who is a Government pensioner and also a member of the landlord class. The landlord class, who were once a ruling race in the country, have got their own policy. They want to fight with the Government when their own interests clash with those of Government and join hands with us. The landlord class are, as a matter of fact, patronized by the Government, and especially by the present Head of the Government. Lastly, I would submit that, whether my Indian brethren are pleased or displeased with me, if they will all look into the speech then they will find no reason to be displeased. An important portion of the Bill, viz., original jurisdiction for the Chief Court, was passed by this Council in the most unfair way. I think if voting is taken I will give my vote to the gentleman who added the clause. In spirit I am against this proviso.

Pandit Nanak Chand: I am grateful to the Hon'ble the Finance Member that he acknowledges that the claims of India as for superior services had not been properly recognized in the past and that recognition had been tardy and inadequate. Coming as it does from him who is a member of the services, I offer him my sincere thanks for this candid statement. He has further asked us to give a cool and impartial consideration to this question. He is not in favour of the present proviso being retained. He has remarked that it is unconstitutional. I would like to join issue with him on this question whether such racial prescriptions can find a place in an act of Legislature on the score of existing precedents. I would not have liked to go into this question if the Hon'ble the Finance Member had given a clear and unmistakable assurance on behalf of the Government that it will be the settled policy of the Provincial Government for all time to come, as long as the appointments to this court are made on the recommendations of the Provincial Government they will recommend the appointment of three out of five and 60 per cent. of the number of Judges constituting the Chief Court, at any time in future if the total number is increased. I would accept the assurance if it is given that at least this percentage of Indians will always be appointed. But what is the statement which has been made to this House? I would request the honourable members of this House to bear in mind the clear implication of the assurance of the Hon'ble the Finance Member before they are taken in by that assurance. The Hon'ble the Finance Member has stated clearly that in the case of the first appointments—I will request the Hon'ble the Finance Member to correct me if

I am wrong—His Excellency the Governor intends to recommend the appointment of two Indian lawyers: his assurance thus stops at the first appointment only. What assurance, what guarantee, is there that this proportion of Indians will be maintained in future? His Excellency the Governor in his message stated that the proviso is in practice not needed to secure an adequate representation of Indians in the Chief Court, because, under the other provisions of the Bill it is certain that, *as a general rule*, (mark these words) three Judges will be Indians. Further on in this paragraph it is stated:—"But it is easy to see that the enactment of the proviso taken in conjunction with the other prescriptions of clause 4 might in certain contingencies have the result that the three Indian Judges were not the best three Indians available who might be appointed." I do not know that this factor plays such an important part in the case of the appointment of Europeans as Judges. I do not think that they are always the best European Judges available to fill up a prescribed number. Nor do I agree with one of the previous speakers that this selection will be necessarily confined to the members of the Oudh Bar. In the appointments of the judgeships of the High Court of Allahabad we know that members of the Bar have been imported not only from other parts of India, but also from the English Bar. There is nothing to prevent such a practice being adopted in the case of the Chief Court for Oudh. Then of the two members who have spoken in favour of the deletion of this proviso, one is my honourable friend Nawab Muhammad Yusuf. He has not added very much to the message of His Excellency the Governor; he has rather contented himself by paraphrasing the message of His Excellency. He has remarked that the chances are that Europeans will not come out for practice and therefore, he thinks that after the lapse of a decade or so there will not be any Europeans who could be appointed as members of the Bar to the Bench of the Chief Court. I do not think that his anticipation of the future has any basis at all. Even if the European members of the Bar do not come out here in India to practise there will be nothing to prevent the Government from appointing to the post of a Chief Court Judge a member of the Bar practising outside India. There is no restriction in that respect here in the Bill. Then my friend representing the British India Association has admitted that racial discriminations do exist in many places and in many departments in India and that Indians are not responsible for the existence of these racial distinctions and that the responsibility for such distinctions lies on Europeans alone, yet he supports the recommendation of His Excellency the Governor on the grounds that the people of Oudh want this Chief Court at any cost, and they do not attach importance to any other consideration, however just and reasonable it may be, and, secondly, because the term of office of our honourable friend the Hon'ble the Home Member is drawing to a close: both these grounds do not appeal to me. Now, Sir, I need not go into the history of how Indians have been treated in the case of appointments to higher services and on other questions, I would just point out to the Hon'ble the Finance Member that the British Government is responsible for the administration of Kenya, which is a British crown colony. It is not a self-governing colony and yet there we find that the best lands are reserved for Europeans; and a policy of segregation is enforced against Indians; the British Government is responsible for that administration. I inquire what steps have been taken by the British Government to which His Excellency the Governor is responsible for the administration of these provinces, to get these racial prescriptions removed, and with what result, and I ask why should our helplessness be further exploited

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to our disadvantage in the case of new posts which are going to be created by the constitution of the Chief Court. Again, what about the British Colonial policy? Is it not dictated solely by racial considerations? Are not racial proscriptions incorporated in Statutes and enforced against Indians? A reference was made in this House about the racial distinctions which exist even to this day based on the provisions of the Criminal Procedure Code and which prescribe different procedures for the trial of Europeans and Indians. My friend Nawab Muhammad Yusuf pointed out that the police regulations were after all regulations; they had not the force of an Act; but I would draw his attention to the provisions of the Criminal Procedure Code, which lay down this different procedure for the trial of European criminals. Not only that, even after conviction Europeans receive a different treatment as was pointedly brought home to the notice of the House in connection with the Tundla Rape case.

Nawab Muhammad Yusuf: May I put in a word of explanation? I made that remark with direct reference to the appointment and nothing else.

Pandit Nanak Chand: The Assembly passed a Bill requiring that the railway compartments should not be reserved for Europeans and Anglo-Indians. This Bill was rejected by the Council of State at the instance of the Government. We also know that Indians are not admitted to the Indian Marine Service, Indian Artillery Force, the Indian Air Force, and in the case of King's Commissions in the Army we know on what basis they are given. In spite of these glaring instances of racial treatment against the Indians we are required to shut our eyes to them and submit to further dictation from His Excellency the Governor. It is on account of these considerations that I oppose the motion for omission of the proviso. At the same time, I wish to make it clear, that if the Hon'ble the Finance Member is prepared to give a clear and unmistakable assurance that the Government gives an undertaking that not less than three-fifths of the Judges shall always be Indians, not only in the case of the first appointment, but in future as well, I will be prepared to reconsider my attitude.

Pandit Govind Ballabh Pant: At the outset, I join the Hon'ble Finance the Member in his appeal to the honourable members of this House to consider the question coolly, impartially, and reasonably. Along with that I would request them also to look at the question from an impersonal standpoint and to consider it on its merits without being influenced by the fact that one of the amendments has proceeded from His Excellency the Governor and the other from the chief whip of the *swarajist* party. I may also tell him that, so far as I am concerned, fortunately or unfortunately, I was not present on the day when the original proposition which is now under consideration was passed by the House. The question, Sir, to me seems to be a very simple one and I hope that everybody in this House will admit that, so far as Indians are concerned, they have been carrying on an up till fight right through in order to get all racial distinctions abrogated. They have been mostly labouring under racial disadvantages and it is not to their interest to perpetuate invidious racial differentiations. But the point with which we are concerned is this. The issue before us is whether the number of Judges recruited from among Indians in the Oudh

Chief Court should be five or three, or whether racial distinction should be abrogated altogether in this country. If the latter be the proposition, we all, I think, unanimously agree to it and we ought to congratulate and thank His Excellency and his Government for introducing an era which we want ushered into this country. But if the Queen's proclamation was elucidated upon, it has been made only with a view to support a certain proposition which does not quite conform to the view of any particular set of Government. Then I submit it is not after all a very fair and just use of that proclamation. I am happy that the Oudh Chief Court Bill has at least led to the resuscitation of that forgotten document, which had passed into the darkness of oblivion altogether.

Now coming to the merits of the question, to me the proposition seems to be a simple one. Whether it is or it is not fair that three-fifths of the Judges of the Chief Court should be Indians. In case it is fair, whether it is or it is not proper that such a provision should be made in the Act. In case it is proper to do so, whether it is or it is not constitutional that such a step should be taken. I will, with your permission, Sir, try to answer every one of these questions. So far as the first question is concerned, the Government would accept the proposition that three Judges out of the five should be Indians; so that, so far as the merits of the proposition are concerned, there is no difference between the view of the Government and that of the non-officials. I do deplore the necessity of such a provision being introduced into the Act, for after all in one's own country it is nothing but a sacrifice to say that two-fifths of the Judges of a court may be any but the residents of that country. Can you point out any other country on the face of the earth where there is a provision in a Statute to the effect that recruitment of its residents to the services will be confined to a particular proportion of the total number of members of those services? So, I think, it is after all a generous proposition that finds place in this Act and it is altogether in accordance with the latest principle as accepted by the Lee Commission, which has laid down that 60 per cent. members of the Indian Civil Service should be Indians. We are asking for nothing more than that. I will in this connection remind you that the Lee Commission right through divides the services into two groups, the European and the Indian groups. It does not in any way introduce the question of recruitment in one country or other right through: it refers to Europeans and Indians. If you will refer to page 65, you will find that the proportion of Indians in the Indian Civil Service is 60 per cent. and that of Europeans 40 per cent. the proportion of Indians to be attained in 15 years' time from the time when the new rate of recruitment comes into force. Coming to the Indian Police Service, out of every hundred, 50 per cent. should be Indians—30 per cent. by direct recruitment. Coming to the Indian Forest Service the ratio of recruitment of Indians is 75 per cent. and that of Europeans 25 per cent. Similarly, in the case of the Indian Service of Engineers, the recommendation is 40 per cent. Europeans 40 per cent. directly recruited Indians, and 20 per cent. Indians promoted from the provincial service. It will therefore appear that both the Government and the Commissioners who constituted the Lee Commission accepted the principle of recruitment on a racial basis. Not only that, they added that such and such percentage of appointment should be for Europeans and such and such for Indians. With that principle before us and with that principle accepted by the Secretary of State and the Government, which is answerable to the Parliament, I do not understand how it can be said that we are introducing an innovation today.

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Then, Sir, if you go back, you will find that in the regulations relating to competitive examination for Indian Police Service there is rule 2 of Appendix XVII published in the Public Service Commission Report of 1913, which says :—" Every candidate must be a British subject of European descent, and at the time of his birth his father must have been a British subject either natural born or naturalized in the United Kingdom. The decision of the Secretary of State for India in Council as to whether a candidate satisfies this condition shall be final. Candidates must, without exception, be above 19 and under 20 years of age on 1st of June, 1914." Then follows a note, which makes the position much more clear, and perhaps equally more shameful, to the following effect :—" Parents and guardians of candidates are warned that European descent will be regarded as essential. To prevent disappointment in cases of doubt, where there has been an admixture of non-European blood, an application should be made to the Secretary of State for India in Council for a decision as to the candidate's eligibility to compete at the examination. In the absence of such a decision, the fact that a candidate has been admitted to the examination will give him no claim to the appointment, should it be discovered afterwards that he is not of European descent". Honourable members will now realize that such has been the state of affairs for sixty years after the promulgation of the blessed Queen's Proclamation. What is true of the Indian Police Service is equally true of other services also. Recruitment to the Indian Subordinate Branch of the Medical Department was confined to non-Indians alone, and similarly recruitment to the Bengal Pilot Service was restricted to non-Indians only, and no Indians could be admitted to it. Again, as has just been pointed out, even to this day recruitment to the Artillery and Air Force is not permissible so far as Indians are concerned. Well; on the face of all this, to tell us that we are introducing something which is against the constitution is, I submit, an untenable position. Whether it should be so, or not is quite a different matter.

Further, so far as the constitutional position is concerned, there is a point which honourable members should bear in mind, and it is this. The amendments to the Chief Court Bill were submitted *en masse* to the Government of India before they were considered by this House, so that if there was anything illegal in the amendment that has now been objected to by the Governor, the Government of India would have at once ruled it out and eliminated it from the list. The fact, therefore, that all these amendments were sent back to this House for consideration conclusively proves that so far as the legality of this amendment is concerned, it cannot be disputed.

Now, Sir, the position resolves itself into this. Assuming that the amendment is constitutional, is there any reason why we should insist on its introduction in the Bill? As to that, anybody who will look into the history of this country relating to the services will have no hesitation in saying that such a provision is absolutely essential. First of all three out of five does not necessarily mean four out of six or five out of seven as three-fifths mean. Secondly, we have seen that so far as these assurances are concerned they carry weight with nobody. I do not at all question the sincerity of purpose of His Excellency the Governor when he says that it is unnecessary to do so. But after all we know that Governments are different from individuals. We also know that the final decision does not

rest with His Excellency the Governor. He may make a recommendation, but the Government of India may not accept it. What is there to bind the hands of His Excellency the Governor General? Then again His Excellency may stick to the proposition that he is going to say today, but what is there to assure us that his successor will stand by what he says today? We have known of occasions when most solemn documents have been explained away. We know that the statements made by Mr. Montagu have not been accepted by Lord Peel or by Lord Birkenhead. We have known of occasions when statements made by one officer have not been accepted at their face-value by his successor. Now look at the history of services in this country. Immediately after the promulgation of the Proclamation of 1858 the Services Act of 1861 was passed by which the recruitment to all services to the higher grades of service was confined to a place 5,000 miles away from this country, and the age and subjects were also so prescribed that none resident of this country could possibly compete through that door. Not only that, the number of posts in the higher ranks were reserved for persons recruited through that door, and that continues today. It did not stop there. In 1861 there were added five members to the Secretary of State's Council, who said that it was unfair and improper that there should not be a simultaneous examination in India. But the Government did not accept it. After that we know that in 1871 another Act was passed to give facilities to Indians which was, as everybody knows, never given effect to, and Lord Lytton said that they were only promises with a view to break them. It was followed by the Atkinson Commission. Sir Reginald Craddock described in the report of the Lee Commission how the recommendations of the Atkinson Commission were not given effect to. Then came the Islington Commission. Even the recommendations of that Commission were not given effect to. It is no use referring to Mr. Paul's resolution in the House of Commons about simultaneous examinations in India and England. So that looking at the question from all these standpoints we feel that it is necessary for us to secure our position. It is necessary for us to strengthen the hands of those who may desire to do justice to this country. To me it is no pleasure to think that even over these small matters it should have been necessary for us to discuss for days and days. We want to be in the position in which we may be free to fix the number of Judges for any court and which we may be free to appoint such persons to be Judges as we may. There is no question in this of racial distinction. You will be surprised to hear that even in the case of schools meant for Europeans a condition subject to which a grant may be given is that not more than 15 per cent. should be Indians in that institution, so that if there are more than 15 per cent. Indians, a grant cannot be given. There are institutions, there are jails, there are lunatic asylums like that at Ranchi, to which Indians cannot be admitted, and if you look at the expenditure you will see that it comes to hundreds of times more *per capita* than for Indians. Sir, the question is different and I would submit it to the Hon'ble the Finance Member to see the distinction between the original proposition and the amendment moved by my friend Mr. Saksena. He says that three-fifths of the total number of Judges constituting the Chief Court shall always be persons who have resided in India for a period of at least thirty years. Well, in one case there is the racial distinction; you exclude a man simply because he is not an Indian; in the other you admit everybody who adopts this country as his land; we admit everybody who

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considers himself a part and parcel of the Indian nation, who makes India his home. We expect to benefit by his experience and we give him the right to have all the privileges. In one case we have birds of passage, in the other case we have persons who will neither require passage nor exchange compensation allowances. So there is a distinction between the two cases, and I say that a nation owes it to all the members residing and forming part of that nation and residing in that country that they have equal privileges. He may be a European, he may be an Anglo-Indian, whosoever he may be, but if he lives in India he is entitled to the benefits of Indianization. Indianization means the replacing of the existing agency by Indians, the word "Indian" being used in the sense of a resident of this country and a component part of the Indian nation. That is perfectly in consonance with the provisions in the Government of India Act. As has already been read, it says that one should be either a native of India or a person who resides in India; and he is not to be excluded on account of race, religion or creed. It does not want any privileges to be conferred on any persons who are not residents of India and who are not natives of India. So if you will look at this provision, you will find that it is entirely in consonance with the law as it has been laid down by the Parliament.

Only one word about the Proclamation and I have done.

The Proclamation was addressed to the people and princes of India and it was meant to secure the rights of the people of this country. It is a misinterpretation of that Proclamation to say that it guarantees the rights of outsiders in the country. At the time the Proclamation was issued Indians as they stood were not given all the privileges which outsiders had. The Queen in her generosity, with a view to reassure the people, issued the Proclamation telling the people and princes of India that they will have all the privileges from which they might have been debarred on account of their disqualifications as has been so often said. The Act of 1834 and the Proclamation of 1858 were meant for the purpose that there will not be a governing caste in India; but what we see is that in spite of the Proclamation, in spite of these Acts the governing caste continues and efforts are being made to perpetuate it for ever.

Rai Bahadur Thakur Hanuman Singh : When I came here today I was in a very reasonable mood of mind as regards the amendment proposed by His Excellency the Governor and I waited for the speech of the Hon'ble the Home Member or the Hon'ble the Finance Member on behalf of the Government, and I thought that the Hon'ble the Finance Member will give the assurance which was conveyed by His Excellency the Governor in his communication to the effect that, as a general rule, three Judges shall be Indians, but the Hon'ble the Finance Member said that the Government were going to appoint three Indian Judges. He, however, did not say anything as to what will be the number of Indian Judges in future. The appointment of the Judges of the Chief Court will always depend upon the Governor and the Governor General, or, in other words, it will always depend upon the policy of the Governor of these provinces. The Hon'ble the Finance Member has kept the path of the Governor quite clear, and an assurance of this sort on behalf of the Government in connection with the appointment of Judges in future cannot satisfy any member of this House.

It is said that the amendment which I had moved and on account of which the proviso was inserted was opposed to the constitution. Such a position ought to have been taken up in the very beginning by the Government. The amendment, as far as I know, was sent to the Government of India for approval. Then it must have been read and considered by the Home Member and may be by His Excellency the Governor himself, but the constitutional issue was not raised when it was moved. Had that objection been then raised, then our position would have been quite different and we would have been easily amenable to the wishes of the Government, but since we have committed ourselves to one thing, that is, the insertion of the provision into the Act, we find our position very difficult in giving up what we took up once. So it is for the Government to placate the members of the Council by a clearer assurance than that given by the Hon'ble the Finance Member.

Sir, I do not desire to add anything to what has been said about racial distinctions. Racial distinctions exists at every step. This we know, and perhaps the Government will not have the courage to deny it. The proviso does not debar members of any race from appointment as Judges of the Chief Court. It makes a certain allotment to the Indian, and such an allotment has been made as would appear from the speeches of my honourable friends Pandit Govind Ballabh Pant and Pandit Nanak Chand.

With these few remarks I resume my seat.

Babu Mohan Lal Saksena: The very first point that was made out of my speech by the Hon'ble the Finance Member was that my amendment in fact was a change in words and did not mean any change in the spirit of the original proviso. What I submitted was that when we supported the original proviso it was not in the spirit of racial distinction. The word "Indian" was added simply to indicate a qualification of the Judges and not to emphasize racial hatred. I think the honourable members will remember that I tried to establish at some length that it was necessary that in the interests of the administration of justice at least three-fifths of the Judges should be Indians, meaning thereby persons who have large experience of India, persons who have had large experience of the manners, language and customs of Indians, and so what I did was to delete that proviso which was likely to be interpreted in a different manner and which, as has been submitted by some members, emphasized racial hatred and to substitute another one through my amendment. Nothing has been said as to in what way does my present amendment contravene the provisions of the Government of India Act. As a matter of fact it has been established by my friend Pandit Govind Ballabh Pant that the amendment is not at all unconstitutional and that it is in keeping with the spirit of the Queen's Proclamation, the Government of India Act and the Instrument of Instructions.

Nothing was said by the Hon'ble the Finance Member about the regulation in regard to the recruitment of sergeants, and I think it would have been fair and a practical proof of his realizing the seriousness of the wrong done to Indians by members belonging to his own community if he had come forward with a statement to the effect that henceforth this regulation would not appear in the Police Regulations. It was also said by Nawab Muhammad Yusuf that there was a difference between regulations and Acts, the provisions of an Act are quite different from regulations. I admit there is some difference between the two, but the difference is as was pointed out by Mr. Bedar in his couplet that there are two sets of teeth, one for chewing and the other for show. The pro-

[Babu Mohan Lal Saksena.]

visions of an Act are for the mere purpose of show, while the provisions of the regulations are for the purpose of grinding. What affects Indians most are these regulations. As has been pointed out by my friend Pandit Govind Ballabh Pant in regard to the police regulations, they have been framed from time to time.

One word more about my friend Mr. Mehrotra. He said that as on account of this proviso the whole Bill was in danger of being rejected and also as His Excellency does not feel that he will be acting according to his conscience if he gave his consent to this Bill, therefore he is going to support the amendment of His Excellency to delete the proviso. This argument of Mr. Mehrotra does not appeal to me. It amounts to the selling of our birthright for a mess of pottage. The Chief Court may come or may not, we do not care for that, but what we want is that in India we must have a right for the determination of our own future. We are here for the right of self-determination and we must have an effective voice in regard to the future constitution of the services, both judicial and executive. I think it will be asking the honourable members too much to barter away for the barons of Oudh, to satisfy their sentiments, this valuable right of self-determination. As for assurances, I will only say that these promises, these speeches and assurances, are one-sided. They are variable with the circumstances; and after all who are the interpreters? It is not the Indians, it is the administrators, it is the members of the heaven-born service, the members of the Civil Service, who have to put them into practice. If these Proclamations work against their interests, they try to shelve them and have their way. But now when they find that it cuts the other way, they come out with the Proclamation and promises and the Hon'ble the Finance Member said that a great wrong was done to Indians. But what I ask him is who was responsible for it—what have you done to compensate that wrong? And I may also say that the Hon'ble the Finance Member is not the first civilian, the first European, who had admitted this wrong. There have been officials who admitted it and who said that Indians have been cheated instead of being given the rights promised to them under the Proclamation.

The Hon'ble Mr. S. P. O'Donnell: I merely wish to reply to some statements.

The Hon'ble the President: Is the honourable member in charge of this department?

The Hon'ble Mr. S. P. O'Donnell: No, Sir.

The Hon'ble the President: The motion proposed from the Chair is the one recommended by His Excellency. The motion to which I was referring, in which Mr. O'Donnell has not the right of reply, is Mr. Saksena's motion. Originally the right to reply on the part of a mover of any amendment was not given under the Standing Orders. Those Standing Orders have now been amended and give a right of reply to the mover of an amendment to a Bill. Mr. Saksena has exercised that right and the Government member in charge of the department concerned, the Raja Sahib, has also a right of reply. Mr. O'Donnell is not in charge of the department and therefore has no right of reply. The Hon'ble the Raja Sahib has a right of reply, but if he does not wish to exercise that right I will put the question.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: I have been keenly watching the speeches made by my honourable friends in this Council. What I particularly noticed was that not a single instance was uttered in which this kind of racial distinction has been allowed to form part of the legislation.

Pandit Nanak Chand: Criminal Procedure Code—trial of Europeans.

The Hon'ble the President: Let the Hon'ble Raja Sahib proceed.

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan: This is however not the main point. The main point is this, Sir, that will this motion, moved by Mr. Sakssna, be an improvement on the clause 4? I say no. Because it will again raise the same question that there shall be two-thirds of Indian Judges in the Chief Court.

[Voices of—"Has Government any objection to it"?]

No, no. My main point is that it is already provided in clause 4 itself that there shall be two from amongst the members of the bar and one from the provincial service. An assurance has already been given by my colleague, the Hon'ble the Finance Member, that Government will recommend the appointment of two Indian lawyers. Over and above that one will be recruited from the provincial service. There will altogether be three. An honourable member has asked whether this will happen once only. That depends on you and not on the Government. If you press, there is no Government which will refuse to yield to your point, but for goodness' sake don't make any constitutional mistake.

The Hon'ble the President: There are two motions before the Council. The first motion is that the last proviso to clause 4 of the Bill be omitted. The second motion is that the proviso be omitted and the following words be inserted instead, namely:—"Provided also that not less than three-fifths of the total number of Judges constituting the Chief Court shall always be persons who have resided in India for a period of at least thirty years." If the motion for the omission of the last proviso to clause 4 is carried, then the second part for the substitution of these words will be put. If, however, the last proviso to clause 4 is not omitted—if the Council decides to let it stand part—then the second part falls. It is merely a different way of putting the question. Instead of putting it that the words in the proviso stand part I am putting it the other way. If the proviso is omitted, then the words sought to be substituted will be put. If, however, the proviso is not omitted, then the second part of Mr. Sakssna's amendment falls to the ground.

The question that the last proviso to clause 4 be omitted, was put and the Council divided as below:—

Ayes (52).

The Hon'ble Mr. S. P. O'Donnell.
The Hon'ble Raja Sir Muhammad Ali
Muhammad Khan, Khan Bahadur.
The Hon'ble Lieut. Nawab Muhammad
Ahmad Sa'id Khan.
The Hon'ble Rai Rajeshwar Bali.
Mr. C. L. Alexander.
Mr. E. A. H. Blunt.
Kunwar Jagdish Prasad.
Mr. G. B. F. Muir.
Mr. A. C. Verrières.
Mr. C. E. D. Peters.
Mr. J. R. W. Bennett.

Mr. S. H. Fremantle.
Mr. R. Burn.
Mr. B. J. K. Hallows.
Mr. C. M. King.
Mr. F. F. R. Ohanner.
Mr. A. D. Ashdown.
Colonel A. W. R. Cochrane.
Mr. A. H. Mackenzie.
Mr. G. Clarke.
Raja Bahadur Brij Narayan Rai.
Mr. H. David.
Babu Khem Chand.
Chaudhri Jaswant Singh.

Ayes (52)---(concl'd).

Chaudhri Sheoraj Singh.
Lala Babu Lal.
Thakur Rajkumar Singh.
Rai Bahadur Babu Ram Nath Bhargava.
Lieut. Raja Bahadur Hukm Tej Pratap Singh.
Babu Dip Narayan Roy.
Kunwar Rajendra Singh.
Mr. Muhammad Aslam Saifi.
Rao Abdul Hamid Khan.
Maulvi Shahab-ud-din.
Khan Bahadur Chaudhri Amir Hasnui Khan.
Dr. Zia-ud-din Ahmad.
Hafiz Hidayat Husain.
Saiyid Muhammad Ashiq Husain.

Khan Bahadur Maulvi Fasih-ud-din.
Khan Bahadur Maulvi Muhammad Fazl-ur-Rahman Khan.
Khan Bahadur Hakim Mahbub Ali Khan.
Mr. Ashiq Husain Mirza.
Khan Bahadur Munshi Siddiq Ahmad.
Raja Saiyid Ahmad Ali Khan Alvi.
Khan Bahadur Chaudhri Muhammad Rashid-ud-din Ashraf.
Mr. St. George H. S. Jackson.
Lala Muthura Prasad Mehrotra.
Raja Shambhu Dayal.
Lieut. Raja Shaikh Imtiaz Rasul Khan.
Raja Jagannath Bakhsh Singh.
Sir Thomas Smith, Kt., V.D.
Mr. Tracy Gavin Jones.

Noes (33).

Babu Narayan Prasad Arora.
Babu Sangam Lal.
Babu Mohan Lal Saksona.
Babu Damodar Das.
Babu Jai Narayan Chaudhri.
Babu Bhagwati Sahai Bedar.
Thakur Manjit Singh Rathor.
2nd-Lieut. Chaudhri Balwant Singh.
Thakur Shib Narayan Singh.
Babu Nemi Saran.
Chaudhri Badan Singh.
Thakur Sadho Singh.
Pandit Brijnandan Prasad Misra.
Pandit Bhagwat Narayan Bhargava.
Pandit Jhanni Lal Pande.
Thakur Keshava Chandra Singh Chaudhri.
Lieut. Raja Durga Narayan Singh.

Pandit Sri Krishna Dutt Paliwal.
Babu Parsidh Narayan Anad.
Pandit Yajna Narayan Upadhya.
Rai Bahadur Thakur Hanuman Singh.
Bhaya Hanumat Prasad Singh.
Pandit Baijnath Misra.
Pandit Govind Ballabh Pant.
Pandit Hargovind Pant.
Mr. Mukandi Lal.
Babu Ram Chandra Sinha.
Dr. Jaikaran Nath Misra.
Babu Sita Ram.
Rai Bahadur Babu Shankar Dayal.
Mr. Zahur Ahmad.
Maulvi Zahur-ud-din.
Dr. Shafa'at Ahmad Khan.

Motion agreed to.

The question that the words proposed by Mr. Saksona be inserted, was put and the Council divided as below :—

Ayes (36).

Babu Narayan Prasad Arora.
Babu Sangam Lal.
Babu Mohan Lal Saksona.
Babu Damodar Das.
Babu Jai Narayan Chaudhri.
Babu Bhagwati Sahai Bedar.
Thakur Manjit Singh Rathor.
Rai Jagdish Prasad Sahib.
Pandit Nanak Chand.
Thakur Shib Narayan Singh.
Babu Nemi Saran.
Chaudhri Badan Singh.
Thakur Sadho Singh.
Pandit Brijnandan Prasad Misra.
Pandit Bhagwat Narayan Bhargava.
Pandit Jhanni Lal Pande.
Thakur Keshava Chandra Singh Chaudhri.
Lieut. Raja Durga Narayan Singh.

Pandit Sri Krishna Dutt Paliwal.
Babu Parsidh Narayan Anad.
Pandit Yajna Narayan Upadhya.
Rai Bahadur Thakur Hanuman Singh.
Bhaya Hanumat Prasad Singh.
Pandit Baijnath Misra.
Pandit Govind Ballabh Pant.
Pandit Hargovind Pant.
Mr. Mukandi Lal.
Babu Ram Chandra Sinha.
Dr. Jaikaran Nath Misra.
Babu Sita Ram.
Kunwar Surendra Pratap Sahi.
Rai Bahadur Babu Shankar Dayal.
Mr. Zahur Ahmad.
Maulvi Zahur-ud-din.
Dr. Shafa'at Ahmad Khan.
Dr. Ganesh Prasad.

Noes (50).

The Hon'ble Mr. S. P. O'Donnell.
The Hon'ble Raja Sir Muhammad Ali Muhammad Khan, Khan Bahadur.
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.
The Hon'ble Rai Rajeshwar Bali.
Mr. C. L. Alexander.
Mr. E. A. H. Blunt.
Kunwar Jagdish Prasad.

Mr. G. B. F. Muir.
Mr. A. C. Verrières.
Mr. C. E. D. Peters.
Mr. J. R. W. Bennett.
Mr. S. H. Fremantle.
Mr. E. Burn.
Mr. B. J. K. Hallowes.
Mr. O. M. King.
Mr. F. F. R. Channer.

Noes (50)—(concl'd.).

Mr. A. D. Ashdown.	Maulvi Muhammad Obaid-ur-Rahman Khan.
Colonel A. W. R. Cochrane.	Dr. Zia-ud-din Ahmad.
Mr. A. H. Mackenzie.	Saiyid Muhammad Ashiq Husain.
Mr. G. Clarke.	Khan Bahadur Maulvi Fasih-ud-din.
Raja Bahadur Brij Narayan Rai.	Khan Bahadur Hakim Mahbub Ali Khan.
Mr. H. David.	Mr. Ashiq Husain Mirza.
Babu Khem Chand.	Khan Bahadur Munshi Siddiq Ahmad.
2nd-Lieut. Chaudhri Balwant Singh.	Raja Saiyid Ahmad Ali Khan Alvi.
Chaudhri Jaswant Singh.	Khan Bahadur Chaudhri Muhammad Rashid-ud-din Ashraf.
Chaudhri Sheeraj Singh.	Mr. St. George H. S. Jackson.
Lala Babu Lal.	Lala Mathura Prasad Mehrotra.
Rai Bahadur Babu Ram Nath Bhargava.	Raja Shamoku Dayal.
Babu Dip Narayan Roy.	Lieut. Raja Shaikh Imtiaz Rasul Khan.
Kunwar Rajendra Singh.	Raja Jagannath Bakhsh Singh.
Mr. Muhammad Aslam Saidi.	Sir Thomas Smith, Kt., V.D.
Rao Abdul Hamid Khan.	Mr. Tracy Gavin Jones.
Maulvi Shahab-ud-din.	
Khan Bahadur Chaudhri Amir Hasan Khan.	

Motion negatived.

The Council here adjourned for three-quarters of an hour.

After the adjournment the Deputy President took the Chair.

SUPPLEMENTARY ESTIMATES.

FIRST INSTALMENT.

Demand No. 1. Head 32—Medical.

The Hon'ble Mr. S. P. O'Donnell: I beg to report to the Council the recommendation of His Excellency the Governor that under the head 32—Medical a sum of Rs. 10 be provided, and I move that this sum be voted.

The demand was put and voted.

Demand No. 2. Head 33—Public Health.

The Hon'ble Mr. S. P. O'Donnell: I beg to report to the Council the recommendation of His Excellency the Governor that under the head 33—Public Health a sum of Rs. 38,450 be provided, and I move that this sum be voted.

The demand was put and voted.

Demand No. 3. Head 16A—Irrigation works.

The Hon'ble Mr. S. P. O'Donnell: I beg to report to the Council the recommendation of His Excellency the Governor that under the head "Irrigation works financed from Famine Insurance Grant" a sum of Rs. 11,320 be provided, and I move that this sum be voted.

The demand was put and voted.

SECOND INSTALMENT.

Demand No. 1. Head 31—Education.

The Hon'ble Mr. S. P. O'Donnell: I beg to report to the Council the recommendation of His Excellency the Governor that under the head Education a sum of Rs. 1,63,000 be provided, and I move that this sum be voted.

Babu Sangam Lal: I beg to move that the sum of Rs. 2,816 under the head 31 (c) for furniture and alterations to model girls' schools be reduced by Re. 1.

[Babu Sangam Lal.]

Sir, my object in moving this resolution is to draw the attention of the Government to the lamentable state of girls' education in these provinces. Year after year the Director of Public Instruction has been pointing out the necessity of placing more funds at the disposal of the department for girls' education, but it has remained more a pious hope, and has not yet been fulfilled. As he said in the quinquennial report, the present state of girls' education is a disgrace to these provinces, and he was quite right when he said that. Compare the expenditure on female education in these provinces with the expenditure in other provinces. It is really a matter of shame to us, and I say that we are criminally neglecting the education of our girls. In our provinces we are spending Rs. 1,17,00,000 on education out of the provincial revenues. In 1922-23 we spent only Rs. 7,00,000 on girls' education. While in Bengal in the same year the expenditure out of the provincial revenue was Rs. 1,31 lakhs and the expenditure on girls' education was Rs. 19,52,000. The expenditure was almost treble of what it was here. Practically no attention is being given to the education of our girls, and in fact, the Government has no definite policy in regard to the expansion of primary education among girls. The situation is becoming worse every day. Whatever funds we now get we are placing at the disposal of the local bodies for the expansion of education among our boys, and we hope that in about ten years almost every child will be in school. But while we are proceeding at a more rapid pace so far as the education of boys is concerned, we are practically neglecting the education of girls. If we do not now have a policy of rapid expansion of education among girls, the problem will become much more acute after ten years because when almost every boy will be in school practically there will be very few girls in our schools. Then the problem will arise as to how to find the money and it will take another twenty or thirty years to solve this problem. Sir, I submit that we must have a consistent and definite policy for the expansion of primary education among our girls. Therefore, I have taken this opportunity to emphasize this point.

I am not in favour of the Government maintaining these primary schools. I think they should be transferred to local bodies as is the case with primary schools for boys.

In this connection I will submit that in our local bodies too the question of education of girls is not given as much attention as it deserves. There is a legal provision in the Municipalities Act that at least five per cent. of the normal income of a board should be spent on the education of children. I insist that at least one per cent. of the normal income of the boards should be spent on the education of girls, i.e. at least twenty per cent. of the total expenditure on education by local bodies, should be spent on the education of girls, and the Government should come forward to contribute an amount equal to that spent by the boards, as in the case of municipalities which undertake to introduce compulsion within their areas, they have undertaken to find two-thirds of the expenditure. There is no reason why the Government should not have a similar policy for the education of girls' in these provinces within local areas.

Then I make another suggestion and it is this: The Minister should draw the attention of local bodies to have separate education committees for girls' because, unless you have a separate committee the subject is likely to be neglected. As I said that when you insist that at least one per cent.

of the normal income of the board should be set aside for the education of the girls, then I think there will be sufficient work for an education committee. So far as the district boards are concerned, we have before us, the report of Mr. Kichlu in the case of boys. He suggests that Government should contribute in some cases up to 90 per cent. of the extra expenditure, but the total should not be more than 66 per cent. Well, Sir, if you are going to accept that policy with regard to boys, then why should you not have that policy for the education of girls also. The present policy, if there is any, that you will contribute half towards the extra expenditure that may be incurred by the boards I think will not help the rapid expansion of education among girls. Therefore, in this matter also you must have a definite and consistent policy.

Then a great difficulty of a rapid expansion of education among the girls is the paucity of lady teachers, and for that I would submit that instead of two normal schools in these provinces you must have at least one in every division; and from the experience which we have got of the number of women reading in these normal schools we can safely assume that a sufficient number of women will be coming forward to join these normal schools, and when you adopt a definite policy of rapid expansion of education among the girls it will be the natural corollary of this policy that you must have a normal school at least in every division.

Then there is another great difficulty so far as the expansion is concerned. There is the question of the inspection of these girls' schools. It always causes trouble. It is very difficult to get these schools inspected by men inspectors. An experiment is being carried on in four or five municipalities in these provinces of appointing a lady superintendent or a lady inspectress to inspect these schools. I think the experiment on the whole has proved a success in the places where it has been introduced. I can speak of Allahabad. There the experiment has proved a great success and in the course of one year the number of girls rose from 500 to 1,300, the schools rose from 7 to 16, and in this expansion the lady inspectress was of great help. Therefore, I think in bigger towns, at least in city municipalities, there ought to be an inspectress of girls' schools and in smaller districts an effort should be made to appoint an inspectress who will inspect the schools within the town as well as within the district. I am aware of certain difficulties, but at present I do not expect that there will be very rapid expansion of education in the rural areas, but so far as the cities and notified areas are concerned, I think there is great room for improvement and these lady inspectresses can work with success there. But before you can do all this, you must devote a much larger portion of your expenditure to female education. Out of the Rs. 1,70,00,000 that you are spending at present on education you must spend at least 30 lakhs on the education of girls. The education of girls as well as of boys should go hand-in-hand. I am aware of certain other difficulties and if the Hon'ble Minister agrees to appoint a committee at a very early date, that committee can go into this question and make recommendations, which will enable the Government to adopt a definite policy. With this end in view I have moved this resolution.

Pandit Baijnath Misra : I find that a small provision has been made in this supplementary demand under the head of education for the expansion of English teaching in vernacular middle schools. The step is a very right one. The expansion of English teaching in vernacular middle schools has got many advantages. In the first place it gives the boys in

[Pandit Baijnath Misra.]

the rural areas a little knowledge of English and makes them acquainted with things to which they would have been otherwise quite strangers. Again, by acquiring the amount of knowledge that is proposed to be imparted to them in the curricula, if these boys proceed further, they save an amount of time also when they are admitted to the English schools, that is they have not to spend the same amount of time in reading in the anglo-vernacular schools as they would have if they had not received that amount of English instruction in the vernacular-middle schools. There is a further advantage, Sir, that would accrue if the step were really adopted as a general programme of education. A number of anglo-vernacular schools have the complaint that they have not sufficient rooms for admitting as many boys as apply to those schools for admission. Now if an amount of English education is given to the boys in vernacular-middle schools, the number of those who seek admission at an earlier stage in the anglo-vernacular schools will decrease and that will be a sort of relief to those schools, and the congestion in those schools will not be so much as it is at present. The step, as I said, is a very right one; but the provision made for that purpose is very insufficient. I say that the measure adopted for the expansion of English teaching in vernacular middle schools seems to be a halting one. Rs. 5,040 have been provided for this purpose. This, I think, is sufficient to pay only some five teachers in the province. It means that only five teachers are going to be provided for the whole province for the expansion of English teaching in vernacular-middle schools. That, I say, is a drop of water in a desert. My point and my purpose in urging this consideration before the House is that some more money should have been provided, and it can be provided, if there is a will to do so.

Mr. A. H. Mackenzie : I shall first say a word or two in regard to Mr. Sangam Lal's motion. I am glad that he has not moved a reduction on account of any objection to the particular item to which he referred. His object appears to be to invite the attention of the Government to questions of a general nature. We shall have an opportunity on the 3rd of April to discuss the whole question of the education of girls in connection with the resolution to be moved by Thakur Manjit Singh. I therefore think it unnecessary at present to deal in detail with the points raised by Mr. Sangam Lal. All I need say is that his suggestions will be carefully examined by the Education department and by the Government. As regards the criticism made about the provision of English teaching in middle vernacular schools, I would point out that the provision on which the House is now asked to vote is only supplementary provision. This provision, together with the provision that was passed in the budget, will be sufficient to enable the department to have English taught in at least one middle vernacular school in every district of the province.

Motion withdrawn.

Babu Sangam Lal : I beg to move that the demand of Rs. 55,790 under C—Primary—Grants to local bodies be reduced by Re. 1. Sir, first of all, I want certain information with regard to the provision of Rs. 50,750. I want to know in how many districts in this province the arrangement for the introduction of manual training is going to be made. The second point that I would like to emphasize is in connection with the demand for Rs. 5,040 for extension of facilities for teaching English in middle vernacular schools. In this connection, I would mention only one thing at present,

I understand that if a district board wants to appoint an English teacher it has to obtain the approval of the Inspector. I think the local bodies, the districts boards, and the municipal boards, which maintain these vernacular schools, should be given full power to appoint whomsoever they like, provided the teacher possesses the qualifications laid down by the Department of Education. But it should not be necessary for the district boards or the municipal boards to obtain the approval of the Inspector in the case of every appointment.

Mr. A. H. Mackenzie: With regard to the first point raised by Mr. Sangam Lal, the amount shown in the estimates for manual training will provide for the teaching of this subject in 15 districts in the province.

As regards the question of the qualifications of teachers in vernacular middle schools, there are certain qualifications which are prescribed as minimum qualifications, but, as Mr. Sangam Lal probably knows, there are teachers who possess qualifications in English and are yet unable to conduct classes in oral English; they are not sufficiently familiar with the spoken language. The work of English teaching in middle vernacular schools is intensive teaching. In three years the students are brought up to the standard of the sixth class in anglo-vernacular schools. It is very desirable in the interest of the students themselves that the teachers should be men who are familiar with the spoken as well as the written language. We, therefore, consider it desirable that the candidates for these appointments should appear before the Inspector of Schools in order that he may satisfy himself regarding their ability to use the spoken language. I may further point out that this scheme is at present in the experimental stage. There are altogether between 400 and 500 middle vernacular schools. We are beginning with the introduction of English in one school in each district. We have to proceed somewhat cautiously in the matter, for otherwise there is a danger that we may convert these excellent middle vernacular schools into third-rate anglo-vernacular schools. I may add that I have heard of no complaints from district boards to the effect that they have found that the present rules in any way hamper them in the selection of teachers.

Babu Sangam Lal: The present rule causes a great hardship to the district boards. Here is a case in point. My friend, the honourable member for Naini Tal, who is Chairman of the Education Committee in the Naini Tal District Board, tells me that he wanted to introduce English in three schools, and the persons he selected for the posts of teachers in those schools were not approved by the Inspector of Schools. Surely, the Inspector of Schools is not a more competent person to judge the abilities of the teachers than my friend here. Besides, this experiment, which has continued for five years and which has also proved successful wherever it has been tried, should no longer be regarded as an experiment, and when the schools are under the control of Education Committees, which are composed of competent persons, it is only fair that they should have unfettered discretion in the selection of teachers.

The Hon'ble Rai Rajeshwar Bali: If the honourable member for Naini Tal, who is Chairman of the Education Committee in his district, had brought any specific cases of complaint to my notice, I would most certainly have looked into them. However, this is the first time that I have heard a complaint against the rule.

Pandit Govind Ballabh Pant: I have no complaint against the Inspector personally. I only say that the rule which requires the teachers to appear before the Inspector for final selection is unfair.

The Hon'ble Rai Rajeshwar Bali: This is, as I said, for the first time that I have heard a complaint against the rule. As pointed out by the Director of Public Instruction, the whole matter is yet in an experimental stage. However, I am prepared to look into it myself again, and if there is any reasonable ground for complaint, I shall see that it is removed.

Motion by leave withdrawn.

Babu Sangam Lal: I move that the demand of Rs. 13,335 be reduced by Rs. 3,575.

I do not know what need has arisen for the appointment of an extra Assistant Director of Public Instruction. Our complaint has been that the Education department is top-heavy. We have already got, besides the Director of Public Instruction, the Assistant and Deputy Directors. We have been persistently crying that the number of inspectors be reduced. It was one of the recommendations of the Economy Committee that the posts of Inspectors should be reduced by two and even the Director of Public Instruction will admit that the work for the Inspector is not very heavy in the Gorakhpur, Jhansi, and Fyzabad divisions. If all the districts of these provinces are divided into circles, I think 6 or 7 Inspectors can very easily manage. So unless there are very good reasons . . .

Dr. Zia-ud-din Ahmad: May I rise to a point of order, Sir. Inspectors are not before us. This is the question of direction.

Babu Sangam Lal: I was incidentally referring to them because if the Director of Public Instruction feels that he requires the assistance of an extra assistant then he should abolish the post of one of the Inspectors and utilize his services as Assistant Director, if he makes out a good case. It is for this reason that I was referring to Inspectors. I was referring to them to show that you are spending much more on inspection than you really ought to do and thus unnecessarily increasing your expenditure on inspection. Therefore I would like to hear what necessity has arisen for the appointment of this extra Assistant Director.

Mr. A. H. Mackenzie: I must confess that in replying to this criticism I do not feel quite at ease. I am certain that if I came before the Council for a grant of 10 lakhs for the expansion of primary education I should feel as bold as lion. But when it comes to defending a sum of Rs. 3,000 odd for extra staff for my office, I feel inclined to turn and run away, because I know that the House looks critically and coldly on any expenditure on machinery and quite rightly too. Therefore, I feel that, if I am to justify this grant I must make out a case which satisfies every reasonable person in this House, that is to say, I trust every person in this House.

At present we have at the headquarters office four officers—the Director of Public Instruction, the Deputy Director, the Assistant Director, and the Personal Assistant. Two of these officers—the Deputy Director and the Personal Assistant—are old officers under new names. This point was made clear by the Hon'ble Mr. Chintamani when he replied to certain criticisms made in the course of the budget debate in 1922. Mr. Chintamani said:—"For some time before last year (before 1922) there was in the office of the Director of Public Instruction an officer on special duty. He was there in addition to the Director, the Assistant Director,

and the Head Assistant. For nearly six months we considered the whole question of the organization of the Director's office with the view that business should be transacted with combined economy and efficiency. In the result a scheme was approved by the Government of which one part was that the office of the Chief Inspector of Vernacular Education should be abolished and in its place a Deputy Director of Public Instruction should be appointed, and the second part was that the Head Assistant of the Director should give place to the proposed Personal Assistant. The advantage sought to be gained by this reform was that, without adding a single officer to the directing staff, we might be able to get more work out of the office of the Director. The Chief Inspector of Vernacular Education, in addition to the duties pertaining to his own office, was to assist the Director in the performance of any other duties that might be entrusted to him without prejudice to the work relating to vernacular education. The Head Assistant of the office of the Director was one who could only do what might be called office work. He could not be entrusted with any independent power or responsibility necessitating a special knowledge of educational subjects. It was therefore thought that a Personal Assistant instead of the Head Assistant might be appointed to whom the Director could delegate and would delegate independent powers at his discretion?"

The first point I wish to make, therefore, is that within recent years there has been no increase in the superior staff of the Director's office, although we have new names for old officers. That was the position in 1922. In 1922 an important change took place in the organization of the office of the Director of Public Instruction. In that year the Director's office was combined with the Education department of the Secretariat. There is now no separate office of education in the Secretariat. There is one combined office. The Education department is so far the only department which has effected an amalgamation with the corresponding department of the Secretariat. When that amalgamation took place, two officers were abolished—the Under Secretary to Government in the Education department and the Assistant Secretary in the Education department. When they were abolished I made a respectful protest to Government. I said that it would not be possible to carry on the work with the depleted staff. However, the Government said:—"Try your best for a year or two. See what happens and then we shall give you additional staff if we find that you cannot possibly get on." I find we cannot possibly get on with the depleted staff. The work has reached a stage at which it is about to break the camel's back. The result is that the officers at headquarters, the Director, and the Deputy Director are tied to their desks. They see school managers, boys, teachers, and local bodies through files, not in the living flesh. They have no time to assist the Minister, as they should do, in the preparation of schemes for expansion and improvement. The Education department is not a department which can mark time; it is a department which must be constantly on the move anticipating the wishes of the Council in regard to schemes for expansion and improvement and taking speedy action to give effect to the resolutions of the Council when the Council expresses a desire to see further progress.

My proposal comes to this, that in place of two officers, one an Imperial Service officer and the other a Provincial Service officer, who were taken away from us, I should have one officer of the Provincial Service. Even before the amalgamation took place, Mr. Chintamani, who had an intimate

[Mr. A. H. Mackenzie.]

knowledge of the working of the department and at the same time was one who had a eye to economy said to the Council :—" Personally, I can bear testimony to the fact that the Director and those who are associated with him as Deputy and Assistant Directors and the Secretary of the Intermediate Board have to work much more than it is desirable that they should, having regard to the necessity of these officers having time to think, to frame policies, to tour and to get into touch with men and things. I can assure the Council most conscientiously that far from having any complaint that there are too many officers at the top in the department of Education each of whom has less than a working day's work, the truth is that those who are there have to do much harder work than it is desirable either in their own interest or in the public interest that they should do." But I am not putting this proposal forward on the ground that my own work or that of any other officer should be less than it is. The ground on which I am putting it forward is that I am deliberately of opinion that it is impossible for the Education department to give effect to the proposals of this Council for expansion and improvement of education unless we have an additional officer. I may in this connection say that our expenditure on direction is the lowest in India with the exception of one province, Bombay, and there the expenditure is very close to ours. Our expenditure on direction is only one per cent. of the total expenditure from provincial funds on education. Our budget is yearly expanding. It is now over 170 lakhs, I am sure that no business firm would hesitate for a minute to give us the small sum for which I ask in order that we may have the agency to see that funds are spent to full advantage.

Mr. Sangam Lal, has, if I may say so, drawn a red herring across the proposal by referring to the question of the strength of the inspectorate. I have already taken up the time of the Council sufficiently and I need not reply at length on the question of the inspectorate, which really does not arise in connection with this particular motion, but I, may say, that at present we have one divisional inspectorship in abeyance and we do not propose to fill up that post until the Council passes a measure for the introduction of compulsory education. When it will be necessary in the interests of education to fill up that post, I am prepared on the right occasion to put up a defence for divisional inspectors, but I hardly think that the present is the occasion. At present I am concerned with justifying the creation of the post of additional assistant director.

Finally, I may say that this provision is proposed for one year only. Therefore the Council will have a further opportunity of examining the matter before the provision is made recurring.

Dr. Zia-ud-din Ahmad : It has been pointed out that the expenditure on direction is top-heavy. Mr. Mackenzie has just pointed out that the expenditure in direction in these provinces is the lowest in India with the exception of Bombay. I have got here figures before me and I find that the expenditure in direction in the United Provinces is 1 per cent. of the total. In Madras it is 1.09 per cent.; in the Punjab 1.52; in Bengal 1.71; in Bihar 1.81; in the Central Provinces 2.02; in Assam 2.80; and in Burma it is 5.37. Now, we find that the expenditure is the lowest in the United Provinces, leaving out Bombay. Moreover expenditure our department of Public Instruction has to perform two additional duties—(1) they do the Secretariat work, as the Director has just pointed out. They have abolished two posts in the Secretariat department. The department is

required to carry on the High School and the Intermediate Examinations. This is a very large order and those persons who have got practical experience of conducting these examinations will bear out how trying it is to look after all the details of these two examinations. In the old days these examinations were carried on by the University of Allahabad; now they are carried on by the department of Public Instruction. I do not consider that the department is top-heavy in the matter of direction.

Mr. Muhammad Aslam Saifi : My honourable friend, Mr. Mackenzie, the Director of Public Instruction, might have had a desire lurking at the back of his mind to run away from defending this small item relating to his own department but, of course, since he has stuck to his guns, it is evident that I need not say anything about it, but I can assure the House that the office of the Director of Public Instruction is one of the most hard-worked offices.

As regards another point that was raised by my honourable friend, Mr. Sangam Lal, that in order to meet this expenditure one of the divisional inspectors of schools might be reduced, probably, I think, he suggested that more than one inspector might be reduced, I do not agree with him at all. In my opinion the House has been demanding time after time the expansion of primary education. The Government have got before them this problem, and as primary education expands it will be necessary to increase the inspecting staff as well. If we compare our inspecting staff that is employed at the present moment with that which was employed twenty years before, we will find that we have comparatively more than double. I consider a divisional inspector to be absolutely necessary, as there must be some officer at the head of the whole division who must act as an intermediary officer between the Director of Public Instruction and that division. Besides, it is generally found by experience that an officer of a lower grade, say even for instance an assistant inspector of schools, will not carry the same weight with regard to departmental matters with the local boards as a high officer of the grade of inspector of schools. I therefore oppose the motion of my honourable friend.

Babu Sangam Lal : I do not wish to reply to the point raised by Mr. Saifi because that is not the point at issue. Here we are concerned with the assistant director and as the appointment is only for a year and we shall get an opportunity to discuss it when we discuss the annual budget next year and we shall also get experience and the Director will be able to tell us whether he can do with or without this new man, in view of that I do not press the motion. But as regards the remarks of Dr. Zia-ud-din that the office of the Director of Public Instruction helps the Board of High School and Intermediate Education in carrying on their examinations I cannot possibly understand them because the Board has got its own separate staff and secretary. So far as the other examinations are concerned, there is a separate registrar for departmental examinations.

Motion by leave withdrawn.

The supplementary demand of Rs. 1,63,000 under head of account 31, Education, was put and voted.

Demand No. 2. Head 32.—Medical.

The Hon'ble Mr. S. P. O'Donnell : I beg to report to the Council the recommendation of His Excellency the Governor that under head Medical a sum of Rs. 30,000 be provided and I move that this sum be voted.

Rai Bahadur Thakur Hanuman Singh: I beg to move that the item of Rs. 30,000 demand No. 9, Head 32—Medical, be reduced by Re. 1.

Looking to the supplementary estimates I find that the sum is intended to assist the indigenous systems of medicine. In the original budget a similar sum has already been voted. In this connection I desire to know what will be the conditions on which this aid will be granted to certain persons or bodies for helping indigenous systems of medicine. If it is to be granted as aid to certain pathshalas or to certain persons who are educating and preparing students in medicine then, Sir, I would like to know whether the Hon'ble the Minister has placed any conditions about courses of study, clerical education, and the qualifications of the staff or teachers who may be employed for the education of those students? Without sufficient staff or without a good knowledge of indigenous medicine, whether it be Ayurvedic or Unani, those who teach cannot prepare efficient physicians. Then when aid will be granted to these persons or to the bodies or schools then there should be some agency for inspection so that the department may know whether the money which is granted as aid to these persons is spent on the purpose for which it is granted or is misused. The Government should also prescribe the qualifications of the students who may be admitted for education in those schools or who may be taken into the teaching staff by persons, whether they be hakims or vaid. Sir, with these few remarks I desire to draw the attention of the honourable members to the resolution which was passed in December, 1922 regarding the establishment of a school for imparting education through the medium of the vernaculars in indigenous systems of medicine. To a question of mine the Hon'ble Minister has been pleased to reply that the matter is being referred to a board. I do not know whether it has been referred or not, but I am glad to know that after two years the Minister has been able to form a committee and is thinking of referring the question for consideration to that committee. I do not know how long the committee will take and whether the Hon'ble the Minister during the present term of his office will be able to do something substantial in that direction. Because I find that the resolution was adopted during the time of Pandit Jagat Narayan. Then it was handed over to my late lamented friend Raja Parmanand, after whose death the present honourable Minister took charge of this very difficult and heavy work, and up till now it is just in the same state in which it was when the resolution was adopted. Well, Sir, in this connection I do not desire to say much, but I can with boldness say that unless the Government takes upon itself to impart education in indigenous systems of medicine through the vehicle of the vernaculars of the province the masses, the rural population cannot get any medical aid. The Government may spend crores of rupees even, but, considering the vastness of the province and the number of villages, as well as the population, it cannot with its own money render substantial medical aid to these people. If it will educate the vernacular-passed students they will settle here and there in the villages and will prove to be boon to the people who are in very dire need of medical and sanitary improvements.

Mr. Muhammad Aslam Saifi: Last year, immediately after the budget discussion was over, to be precise, on the 4th of April, 1924, my learned and honourable friend Hafiz Hidayat Husain moved a resolution respecting the establishment of an ayurvedic and unani school in Lucknow. The

Hon'ble Minister in his speech welcomed the idea. I do not exactly remember the words of his speech, but he promised that he would look into the question at once and appoint a committee which would thoroughly examine the proposition and as soon as it has given its report something practical would be done in this direction. During the course of the present budget discussion it was given out to the Council that only recently a committee has been appointed. I do not know what is the cause of this delay. Is it due to the apathy of the Hon'ble Minister towards this school of medicine? If not was the appointment of this committee such a very difficult task that it took nearly twelve months to appoint it? Were any experts to be appointed on this committee and they were not available? Besides, in the explanation that is attached to this item nothing whatsoever is explained as to the purpose for which this is wanted. But I consider, Sir, though I have no complaint to make to the Minister on this score that he took such a very keen interest in calling an arts and musical conference in Lucknow—on the other hand, I think the art of curing human ailments is quite as important a thing—of course it is far more important—but I mean to say art and music also is an art—they attract its devotees more easily than this task which requires a great deal of serious consideration. It involves the financial question as well. At the same time, it is much more imperative. As regards the popularity of this system of medicine, I need not dilate upon it. Every honourable member of this House will agree, specially every Indian member with his personal experience will agree, that even to day people consult the Ayurvedic vaid and Unani hakims more than they consult the doctors who deal with the allopathic system. Therefore I strongly urge upon the Hon'ble Minister, if, as he has said, he has appointed a committee, that he should hustle that committee a bit and get its report as quickly as possible, so that the Council may at an early date go into the details of the question of the establishment of an Ayurvedic and Unani school or college.

Then, Sir, I will urge upon his attention another matter. If this amount relates to grants which might be given to district and municipal boards, then the crying need of the moment is establishment of proper medical stores—I mean *dawaikhanas*. Very often it is the experience of the people that in these *dawaikhanas* the right class of medicines are not supplied. As the poet has said, *wahi dawz hai jo puria men bandhe attar*. Generally, mostly imitations are supplied in these places in place of right medicines. If attention is paid by the municipal and district boards to the supply of right class of Ayurvedic and Unani medicines at these *dawaikhunas* a great deal of good will be done to the people who go in for these systems.

The Hon'ble Rai Rajeshwar Bali: I shall deal very briefly, for we are pressed for time, with the two points that have just been raised. The first point is about the manner in which Government is going to spend this sum and the sum that was voted in the budget. I would draw the attention of the honourable members to the fact that about three or four years ago the House asked the then Minister in charge of the Medical department—I mean Pandit Jagat Narayan—to provide sums for the development of these indigenous systems. He asked the Council to vote Rs. 30,000 for the purpose. Since then that sum has been voted year after year and it is distributed to local bodies and dispensaries for the distribution of Ayurvedic and Unani medicines. As there has been a growing demand for such dispensaries and as we have been pressed by

[The Hon'ble Rai Rajeshwar Bali.]

various boards and dispensaries for more grants I am asking for an additional sum of Rs. 30,000 now. This sum will be distributed in the same manner as has been done so far.

As regards the question for the establishment of an Ayurvedic and Unani school or the advancement of the cause of Ayurvedic and Unani system in other ways, I think I made it clear when I presented the Medical budget that our misfortune has been that for most part of the year we tried to get a suitable chairman for the committee which we wished to appoint for the purpose but we failed. We offered the chairmanship to several distinguished people one after the other, but ultimately every one of them refused.

Babu Bhagwati Sahai Bedar : The chairman ?

The Hon'ble Rai Rajeshwar Bali : Yes, the chairman. The members of the committee were appointed so far back as June last ; but the difficulty has been in securing a suitable chairman. I may announce to the Council now that I have been able to secure a chairman now and I hope he will be able to conduct the deliberations of this committee.

Pandit Sri Krishna Dutt Paliwal : May we know his name ?

The Hon'ble Rai Rajeshwar Bali : We have been able to appoint Pandit Gokaran Nath Misra as chairman of the committee. (An honourable member :—"Is he acquainted with medicine ?") I admit he is not an authority on Ayurvedic medicine. But the main function of this committee will be to organize courses, curriculum etc. and deal with similar educational matters with a view to establish either a Board of Indigenous systems of medicine or a medical school. Therefore one who has got wide practical experience of running large educational institutions shall be more useful than a mere hakim or vaidya. I have also appointed on the committee three hakims and three vaidyas who will be there to help him in professional matters. I hope the committee will begin its labours soon ; and before long we shall be in possession of a definite scheme.

The motion of Rai Bahadur Thakur Hanuman Singh "that the item of Rs 30,000, demand No. 9 (item 32—Medical), be reduced by Re. 1 was put and negatived.

The original demand was put and voted.

Demand No. 3. Head 33.—Public Health.

The Hon'ble Mr. S. P. O'Donnell : I beg to . . .

Pandit Nanak Chand : May I just inquire whether it is the correct procedure for the Hon'ble the Finance Member to move demands for departments which do not really belong to his portfolio ?

The Hon'ble Mr. S. P. O'Donnell : It is merely a matter of form. I merely move that. I do not see the point in raising the question. I have always done so.

I beg to communicate to the Council the recommendation of His Excellency the Governor that under the head "33—Public Health" a sum of Rs. 1,00,000 be provided and move that this sum be voted.

The demand was put and voted.

Demand No. 4. Head 34.—Agriculture.

The Hon'ble Mr. S. P. O'Donnell : I beg to report to the Council the recommendation of His Excellency the Governor that under the head "34—Agriculture" a sum of Rs. 1,33,192 be provided and move that this sum be voted.

The demand was put and voted.

Demand No. 5. Head 35.—Industries.

The Hon'ble Mr. S. P. O'Donnell : I beg to report to the Council the recommendation of His Excellency the Governor that under the head "35—Industries" a sum of Rs. 1,03,220 be provided and move that this sum be voted.

The demand was put and voted.

Demand No. 6. Loans and Advances by Provincial Government.

The Hon'ble Mr. S. P. O'Donnell : I beg to report to the Council the recommendation of His Excellency the Governor that under the head "Loans and Advances by Provincial Government" a sum of Rs. 1,20,000 be provided and move that this sum be voted.

The demand was put and voted.

Demand No. 7. Head 41.—Civil Works—Public Works.

The Hon'ble Mr. S. P. O'Donnell : I beg to report to the Council the recommendation of His Excellency the Governor that under the head "41—Civil Works—Public Works" a sum of Rs. 1,01,000 be provided and move that this sum be voted.

Khan Bahadur Shaikh Masud-uz-Zaman : In connection with the Civil Works budget I had sent a motion for nominal reduction with a view to bring to notice . . .

Pandit Nanak Chand : Can the honourable member speak to a demand without moving a reduction?

The Deputy President : The question before the House is that the demand be voted.

Khan Bahadur Shaikh Masud-uz-Zaman : I think the whole demand is before the House and I can speak on the general policy.

Pandit Nanak Chand : Can an honourable member of this House speak to a motion without moving a motion for reduction?

At this stage the Hon'ble the President resumed the Chair.

Pandit Nanak Chand : Just before you came in, Sir, the Hon'ble the Finance Member had moved a demand for a grant and my friend Khan Bahadur Masud-uz-Zaman wanted to speak in connection with that demand. He has not moved any motion of reduction. I want a ruling whether a member of the House can speak to any demand without moving a reduction.

The Hon'ble the President : In the case of a demand, if an honourable member wishes to oppose it as a whole, he can do so.

Khan Bahadur Shaikh Masud-uz-Zaman : I can oppose the whole demand.

The Hon'ble the President: There is one matter that I would like to refer to before the honourable member embarks on his speech and that is, that it is already 4 o'clock and we are under a promise to Dr. Ganesh Prasad to allow him to move his motion on dyarchy.

Khan Bahadur Shaikh Masud-uz-Zaman: I am also mindful of that resolution, but I will just put in a very few words what I really wanted to say.

Pandit Nanak Chand: It appears from the introductory remarks of the honourable member that he is not opposing the motion.

Khan Bahadur Shaikh Masud-uz-Zaman: I am opposing this demand on the ground that I consider that the recruitment in connection with the subordinate engineering service has been so unfair that the demand should not be granted. To make it perfectly plain, it has come to my knowledge that the recruitment for the subordinate engineering service is very unsatisfactory.

Mr. E. A. H. Blunt: Is this in order? There is absolutely nothing about the staff in this demand: it is merely fees to schools.

The demand was put and voted.

THE FINANCE AND PUBLIC ACCOUNTS COMMITTEES.

The Hon'ble Mr. S. P. O'Donnell: On the Finance Committee His Excellency has nominated Rai Bahadur Ram Nath Bhargava and Mr. Saifi and the Financial Secretary; and on the Public Accounts Committee, Mr. Babu Lal, Mr. DeSanges and the Finance Secretary. The chairman on both committees will be the Finance Member, as usual.

The Hon'ble the President: These committees are now formally constituted.

The names of the members are—

(FINANCE COMMITTEE.)

Elected.

1. Pandit Brijnandan Prasad Misra.
2. Pandit Govind Ballabh Pant.
3. Rai Bahadur Thakur Hanuman Singh.
4. Raja Jagannath Bakhsh Singh.
5. Rai Bahadur Thakur Mahal Singh.
6. Nawab Muhammad Yusuf.
7. Pandit Nanak Chand.
8. Mr. Zahur Ahmad.

Nominated.

1. The Hon'ble the Finance Member (*ex officio*).
2. Rai Bahadur Babu Ram Nath Bhargava.
3. Mr. Muhammad Aslam Saifi.
4. The Finance Secretary.

(PUBLIC ACCOUNTS COMMITTEE.)

Elected.

1. Rao Abdul Hamid Khan.
2. Babu Bhagwati Sahai Bedar.

3. Babu Dip Narayan Roy.
4. Babu Khem Chand.
5. Thakur Manjit Singh Rathor.
6. Babu Sangam Lal.
7. Chaudhri Sheoraj Singh.
8. Khan Bahadur Munshi Siddiq Ahmad.

Nominated.

1. The Hon'ble the Finance Member (*ex officio*).
2. Lala Babu Lal.
3. Mr. H. C. DeSanges.
4. The Finance Secretary.

RESOLUTION *RE* THE REPORT OF THE MUDDIMAN COMMITTEE.

Dr. Ganesh Prasad : I beg to move—

That this Council recommends that the Government be pleased to convey to the Government of India the considered opinion of this Council that the Muddiman Committee's report and recommendations are highly unsatisfactory.

Before I proceed to discuss this question I should like to express my grateful thanks to you, Sir, and to the Government for giving me an opportunity for placing this important motion before this Hon'ble House. I do not wish to discuss all the aspects of the question before the House, for that would take too much time. I would very much like to concentrate my attention on three important points with reference to the Reforms Inquiry Committee, and they will be (1) the question of the services, (2) the question of the electorate and (3) the question as to the inherent defects of the constitution.

Sir, most of us know that when the Reformed constitution was brought into existence it was not received with any great favour by the vast majority of the non-official public, and soon after it came into operation motions about it were placed in the Legislative Assembly. One was on the 23rd September, 1921, by Rai Bahadur Jadunath Majumdar, who wanted that the Secretary of State should be moved to take steps in order to extend the privileges that had been given to Indians by the Reforms. A resolution was actually passed on the 29th September, 1921, and I may say that it was accepted by the then Home Member of the Government of India, namely, Sir William Vincent. If my memory does not fail me that resolution was that the Secretary of State be informed that in the opinion of the Legislative Assembly the progress made by India on the path of responsible Government warranted a re-examination and revision of the constitution at an earlier date than 1929. After more than one year, that is, on November 2, 1922, Lord Peel, who had taken the place of Mr. Montagu, took an unfavourable view of the situation and he made it clear that at that stage he would not entertain any proposal for the amendment of the Government of India Act. Again a motion was brought in the Legislative Assembly in July, 1923, by Sir Hari Singh Gour; and after the new Assembly came into existence, as most of my honourable friends here know, an agitation was set up by our esteemed countrymen, Pandit Moti Lal Nehru and Mr. C. R. Das, for the promulgation of what they called the national demands. I myself had the honour of attending a meeting in January, 1924, at Lucknow, at which the abovementioned

[Dr. Ganesh Prasad.]

leaders were present and also the meetings held at Delhi in the beginning of February, 1924. As a result of the deliberations at Lucknow and Delhi, it was decided that Pandit Moti Lal Nehru should put forward in the Legislative Assembly a motion, which he actually put forward on the 8th of February, 1924. This was in the shape of an amendment to a resolution of Mr. Rangachariar, and the result of the resolution and the amendment was that the amendment of Pandit Moti Lal Nehru was carried by an overwhelming majority, and, if my memory does not fail me, it was decided that the Assembly should recommend the Government of India to take steps to have the Government of India Act revised with a view to establish full responsible Government in India and for the said purpose to summon at an early date a representative Round Table Conference to recommend with due regard to the protection of the rights and interests of important minorities the scheme of a constitution for India. During the course of the debate, the then Home Member in the Government of India, Sir Malcolm Hailey, pointed out that he was not willing to accept at that time the amendment of Pandit Moti Lal Nehru, but that he would like to have a departmental inquiry made as to the inherent defects of the Government of India Act and the difficulties experienced in its smooth working. After the results of the inquiry had been obtained, he would consider the question as to whether there should be or should not be a conference of a commission. Sir, in those days hopes ran very high and I think most of us believed that with the Labour Government in power it was almost a matter of certainty that some kind of conference or commission would be brought into existence. Some of the remarks of Lord Olivier confirmed in the belief, but as soon as the new Government in England came into power all these hopes were shattered, and the situation at present is darker than it was about five or six months ago. I propose to point out to my friends here that the report of the majority of the Reform Inquiry Committee is entirely unsatisfactory. I would take up the question of the recommendations later on if I have time. The terms of reference were—

- (1) to inquire into the difficulties arising from or the defects inherent in the working of the Government of India Act and the rules thereunder in connection with the Central Government and the Government of Governors' provinces, and
- (2) to investigate the feasibility and desirability of securing remedies for such difficulties or defects consistent with the structure, policy and purpose of the Act:—
 - (a) by action taken under the Act and the rules, or
 - (b) by such amendments of the Act as appear necessary to rectify any administrative imperfections.

It is quite clear that nothing could have prevented a reasonable and well-intentioned committee from pointing out in clear and emphatic language the inherent defects of the Government of India Act. There are more than fifty distinct Governments in the British Empire, and they have all got their special features. They may, however, be divided into three classes. First of all, there are the Crown colonies, where the Crown has entire control of legislation and the public officers are controlled by the Government in England. Then there are the representative colonies, i.e., colonies, which have got representative institutions, but no responsible Government. Here the Crown retains a veto on legislation and public officers are controlled by the Government in England. Next come colonies with responsible

Government, where the Crown retains a veto on legislation, but the Government in England has no control of any public officer except the Governor. Now, with regard to our present constitution, it may be said that it is an approximation to what may be called the constitution of a representative colony. So far, however, as the Government of India is concerned, it is without any element of responsibility to the legislature; but in a Governor's province, the Government has just a little measure or a shadow, if I may say so, of responsibility to the legislature, and I shall presently show to the Council why I say it has got only a shadow of responsibility. As far as the public officers are concerned, most of us know that in the matter of the All-India Services, they are entirely in the hands of the Secretary of State for India acting through the Government of India. Even in regard to the provincial civil services, the Secretary of State has reserved to himself under section 96B (2) of the Government of India Act vast powers in respect of classification and grading conditions of service and methods of recruitment, and indeed in the matter of the posting, promotion, censure and praise of the officers both in the Provincial and All-India Services, the Ministers can do nothing without the personal concurrence of the Governor. Consequently, even in transferred departments the Ministers have no power whatsoever in regard to the control of the public services.

Now, let us see what is done in the colonies which have got representative institutions and also responsible Government. There all public officers are appointed nominally by the Governor, but really by the Executive Council, and the members of the Executive Council are appointed by the Governor by parliamentary choice exactly as the British Cabinet is appointed by the King. On the other hand, in India the most important class of All-India servants owe no responsibility whatsoever to local legislative bodies. Their promotion and their dismissal, as I have already remarked, rest with the Secretary of State and the Government of India.

Sir, in every self-governing country the legislature has a right in the matter of all subjects to discuss questions relating to those subjects. It has a right to dispose of Bills in the way it would like. Of course, everybody knows, in the cases of the dominions, and the responsible colonies the right of veto is there, but it is very rarely exercised. In the matter of finance in Crown colonies it is entirely and directly controlled by the Government in England. In the case of colonies which have representative institutions but no responsible Government, the finances are controlled not directly by the Government in England, but are influenced in important departures by the imperial Government. In responsible colonies the finance is entirely under local control. I would like my honourable friends to realize now what kind of Government we have got here in India. The authority that should rightly vest in the legislature is absent in the case of central subjects. It is practically absent in the case of provincial reserved subjects and it is a mere shadow in the case of provincial and transferred subjects. I say, shadow, because even the vote of censure may have no definite results for the Ministers. We have seen that in Bengal up to only four months ago the Ministers went on absolutely unconcerned although their salaries had not been voted. What happened in Bengal might also have happened elsewhere. Sir, so far as the present state of affairs is concerned, I doubt very much if the majority of the Reforms Inquiry Committee has done any service either to Great Britain or to India by practically shutting their eyes to the present situation.

[Dr. Ganesh Prasad.]

There are a few remarks, which will be found in their report, which are most insulting and I would like very much to know from the two Ministers whether they have realized the significance of those remarks. It is said here—I will not read the exact words, but I will quote from memory—that they, the majority, would not like to transfer certain subjects simply because they did not like to upset “the balance of the constitution.” My friend the Nawab Sahib of Chhatari is looking at me and also Mr. Rajeshwar Bali. Have they realized that they are not exactly looked upon as friends in the Government. There are two parties there. There is the party of Ministers. There is the party in charge of reserved subjects. And it is thought that, lest these two parties come into a dangerous conflict, there must be a balance; probably just as there is a balance of power in Europe with Russia and Germany on one side, and France and England on the other. Although the British believed six or seven years the Muslims of India to be not very virile, it is said by the majority of the committee that the Muslims are more virile than the Hindus. I doubt the truth of this saying; for according to the census of 1921 and, also on the authority of Mr. Blunt who was a Census Superintendent in 1911, the survival rate for Muslims is not higher than that for the Hindus. Again it is said by the majority that they “are agreed that it is undesirable that Ministers should have control over recruitment” to the services in the transferred field. I think, therefore, that the report of the majority seems to be not a thing of which a man of the intellect of Sir Alexander Muddiman can be proud, or of which one or two other signatories whose names I will not mention can be proud. There are many passages in the report which are very insulting to our national self-respect and which contain mischievous innuendoes.

I leave the question of public services and I come to the question of the electorate. So far as the electorate is concerned, we know very well that only 60 or 70 lakhs of people in all have been enfranchised. Now it has become the fashion of people, who endorse the statements of the “Englishman,” or the “Statesman” to say “Oh, how can you have any real responsibility in this vast country where only 60 or 70 lakhs of people have been enfranchised.” Who is responsible for this state of things? If we are not sufficiently educated, who is responsible for that? But I do not think that responsibility should necessarily go hand in hand with a very highly educated and trained electorate. You must make a beginning somewhere. I will just reproduce a few remarks quoted by Mr. Chintamani with reference to the condition of the electorate in England in the year 1832 and a little later. I hope I will be able to find out the exact passage. Sir, I will rather depend upon my memory and I will state what the condition was about 1832. About 3 per cent. of the total population had the franchise. As everyone knows, there were hundreds of boroughs which were practically the private properties of noblemen and could be sold to anybody for a consideration, and this state of things continued for years and years. It was in 1867 when a new Bill for extending the franchise was brought into existence and the percentage of people who had franchise increased to 9 per cent. Even now the state of things in Great Britain is not exactly the same as it is in Germany. In places where there is universal suffrage, everyone who is 21 years of age and who has got a fairly decent record behind him and has not been guilty of moral turpitude has got the right to vote. In England there are at present 50 per cent. of the people

who have a franchise. So it is no use saying that in India a vast number of people are illiterate, a large number of people are poor and therefore we will not give them the franchise unless and until they improve. Therefore, so far as the question of the electorate is concerned, that is a thing which need not trouble us too much. We must make a beginning. If you give power to the electorate, the electorate will exercise its power with responsibility. There is another matter connected with the question of the electorate. You speak of communal differences, as if communal differences did not exist in England, as if they did not exist in Ireland or as if they do not exist in the other countries of Europe. There is, for example, Poland. I was recently reading a novel by Balzac and I found that Poland was, according to Balzac, a place where there were too many Jews, where the others who were not Jews were practically brutes and which was full of swamps. What is that Poland today? It is one of the most important countries of Europe. What is the state of affairs in Jugo-Slavia today? We know very well what the condition of those countries which have gone to make Jugo-Slavia was in 1848. When during the rebellion of the Magyars in 1848 the Croats under their Ban Jellaliach took up the royal cause, it was commonly believed by the Magyars that the average Croat soldier drank the blood of his victim after killing him. Nevertheless, Croatia is today an important part of the independent state of Jugo-Slavia. It is no use speaking of communal differences in India of today. We know very well that these communal differences practically become insignificant when we consider the communal differences which existed in Great Britain and Ireland about a hundred years ago.

So far as the depressed classes are concerned it is said by the author's of the majority report that we have got in the United Provinces about 90 lakhs of depressed classes, in Bengal 80 lakhs and in Bihar and Orissa we have 80 lakhs. I know fairly intimately all the three provinces. I am not a brahmin. I am rather proud of being a non-brahmin, at any rate I am not ashamed of it. But I do not know where in these three provinces which I have just mentioned there are troubles with the depressed classes. We have got in the University of Allahabad as the University Professor of Physics a gentleman who is supposed to be of an untouchable caste. I have myself come across heaps of my own pupils who were untouchables. I do not care one penny whether a sweeper or a brahmin comes and shakes hands with me. So far as northern India is concerned, the question of the depressed classes is a mere figment of the imagination of those people who do not wish well of Indians. Well, in every country there are classes and classes. In England there are hundreds of thousands of people living in the slums of East London whom, my honourable British friends on the official benches would not like to touch. I challenge them to contradict me, because it is quite obvious that a man who is highly educated and wealthy and living a cleanly life would not like to touch a man who is a wreck socially, who is drink-sodden, who is dirty and poor. The question of the depressed classes, therefore, should not trouble us. If the majority report of the Reforms Inquiry Committee brings into prominence the question of the depressed classes, I question the motive of the authors. They want that in the United Provinces the maximum number of seats to be given to the depressed classes should be nineteen instead of one as at present. By all means let any man come and sit here if he can get elected in a fair manner. My friend, Babu Khem Chand, is one of our honoured colleagues and I take a special pleasure in meeting him.

[Dr. Ganesh Prasad.]

Let there be twenty men like Mr. Khem Chand elected by the common electorate. But do not bring these people by the back door, that is my point. If you lower the franchise, if you make it possible for larger and larger numbers of people to vote, by all means allow an equal opportunity to the depressed classes to get in, but do not come and say to them "Look here, you are men of the depressed classes. Pandit Govind Ballabh Pant and Dr. Ganesh Prasad are not your friends and well-wishers. We are your friends, we are your patrons. Come and take your seats here." That, of course, is not the right attitude and it should not be adopted.

Sir, I come now to the question of provincial autonomy and the Central Government. My friends, the two Ministers in these provinces, have been good enough to bless the demand made by the public for provincial autonomy but for a consideration. They want that either the representation of the landlords, which is already very high, should be increased still more or there should be a second chamber, naturally full of landlords. The question is what is going to come out of this demand if it is conceded? Suppose for a minute that we have got four gentlemen in the Government, instead of three, as there are at present, who belong to the landlord class. I have not the least wish to say anything which might be offensive to my Indian friends here in the Government, but I ask them: Have they been able to realize that they have practically produced no impression on the Government, although they form a majority in the Government being three out of five? In order that you may be able to produce an impression on the Government, in order that you may be able to change the state of affairs in such a manner that people should be able to see that there is a new age, that they are not living with the old old state of affairs, that they are living with responsibilities vested in them, you must have something more than these front row chairs to sit in or conspicuous position or high salaries. You must have what is much more important, habits of industry, and such intellects as should enable you to control heads of departments and secretaries. In this connection, Sir, the Government stands absolutely condemned because they have adopted a policy whereby it was not possible for them to secure a man who possessed the qualities just mentioned. The Government has always fled away from that type of man. In Bengal, for example, there was one gentleman who would have been able to make himself really felt even in the councils of the Government and that gentleman was Sir Ashutosh Mukerjee. Sir Ashutosh could very well have been a Member of the Executive Council, he could also have been appointed as a Minister, as he would certainly have secured within six months a seat in the Legislative Council, but as everybody knows, Sir Ashutosh Mukerjee was a kind of bugbear to the Government of Bengal and the Government of India, and they always fought shy of putting a man like that in a position of power because they know very well that a man like him would have had no difficulty in controlling any number of members of the Indian Civil Service and any number of experts and heads of departments. The only other man—I happen to know personally seven or eight ex-ministers and ministers—who made himself felt by his European advisers was Dr. Paranjpye, in spite of the great disabilities that ministers suffer from. I therefore say that this cry for provincial autonomy without some fundamental changes in the Government of India Act will mean absolutely no improvement on the present condition. We have at present three members of the Government who are Indians. I ask my friends

here to put their hands on their hearts and say: Do they feel specially proud of those three gentlemen? That is all; I leave it there.

Sir, in every country there are noblemen and wealthy people who are put in positions of power and responsibility; but there is this difference. If there happened to be in England a Minister of Foreign Affairs, like Pelham, who knew very little about the geography of the world or if there was a Chancellor of the Exchequer like Lord Randolph Churchill, who did not know what a decimal point meant, he had always by his side people, his own kith and kin, each with as keen an intellect as that of Mr. O'Donnell or Mr. Blunt or Kunwar Jagdish Prasad. But what is the state of affairs here? We have got behind our three Indian Members of the Government a row, or rather two rows, of gentlemen who, if I may say so, without any kind of offence to them, have absolutely no wish to see that these three Indian Members of the Government should have real control in the management of the departments in their charge.

It may be asked what is my remedy? My remedy is very simple. I maintain that the body politic is so diseased, is so utterly desperate that a commission will do no good. I am not a Liberal and I do not endorse every statement that is made in the minority report. But a mere commission will do nothing. It will proceed on the stereotyped lines. What is wanted is a conference, call it whatever you like, a Round Table Conference or a Rectangular Table Conference where people will sit and have a heart to heart talk and speak out more or less in the strain in which I had the audacity to speak today. As every one knows, I have no axe of my own to grind. I am in fact a *sanyasi*, a *fakir*. If I have said anything which may offend any of my friends, Rai Rajeshwar Bali, the Nawab Sahib of Chhatari or the Raja Sahib of Mahmudabad, I beg pardon of them. I am a man who has got every respect for wealthy men, but at the same time I must call a spade a spade. The state of affairs that we hope to usher into existence if we have provincial autonomy without the Central Government being made responsible to the legislature would be a state of affairs much worse than the present state of affairs.

With these remarks I commend my resolution for the acceptance of the House.

Dr. Zia-ud-din Ahmad : The ideal of every Indian, to whatever political party or group he may belong, is to obtain *swaraj* at the earliest possible date. The British Government has accepted our just demand and Mr. Montagu representing His Majesty's Government said on 20th August, 1917 :—

"The policy of His Majesty's Government, with which the Government of India are in complete accord, is that of the increasing association of Indians in every branch of the administration and the gradual development of self-governing institutions with a view to progressive realization of responsible Government in India as an integral part of the British Empire."

Lord Chelmsford in his speech dated the 5th September, 1917, said :— "That the endowment of British India as an integral part of the British Empire with self-government was the goal of the British Rule." "The first road" he continued "was in the domain of Local Self-Government. The second road lay in the domain of the more responsible employment of Indians under Government. The third road lay in the domain of the Legislative Councils." No person, however enthusiastic he may be, will admit that complete self-government can be established within a few months. The attainment of *swaraj* will be expedited by the mutual

[Dr. Zia-ud-din Ahmad.]

co-operation of Hindus, the Muslims and the Britishers. I have repeatedly said on other platforms that there are two enemies of *swaraj*, however nationalist or independent they may profess themselves otherwise to be. The first category includes persons who widen the racial differences between the Hindus and the Muhammadans. I will discuss this point after a few minutes. The second category includes persons who widen differences between the Indians and the Britishers. The attempt to create hatred in the minds of the Indians against the British people as a class, the attempt to preach and practise non-co-operation, the attempt to spread anarchical movements in the country or the attempt to violate peace and order in the country will put us on a road diametrically opposed to the attainment of *swaraj*. A group of the swarajist party thinks that their methods alone would lead us to the goal of self-government. All persons who are opposed to their doctrines are considered by them as traitors. We, on the other side, consider them to be honest and enthusiastic lovers of the country, but misguided in their ideas and unwise in their actions.

The goal of every Indian, as I have already pointed out, is self-government, as promised by Mr. Montagu and Lord Chelmsford. We require several stages to achieve that end. Two immediate goals which to my mind we should try to aim at are (1) Indianization of the services, and (2) autonomy of the provinces.

My friend, Dr. Ganesh Prasad, has pointed out about the franchise. I entirely agree but he should also face the facts. He must understand that most of our voters are not educated. I had personal experience of this voting, which unfortunately my friend did not have because his voters were the graduates of the Allahabad University. Well I have seen a voter who went to the polling officer and the polling officer asked him for whom he wanted to vote. He clasped his hands and said for any person whom he liked. The officer said:—"Please mention the name." He said:—"All right. Put down your own name."

The second point is that one must realize that at least in one case the whole of the canvassing was carried on on the promise of the purchase of paradise or hell. I do not mean to say that on account of these defects we ought to stop, but I am led to the conclusion that we ought to be more enthusiastic in imparting education among the voters. I do not mention these examples to show that we are not prepared for autonomous Government, but I say that the education of voters and progress in the province must go hand in hand.

Pandit Govind Ballabh Pant : Sir, is the honourable member opposing or supporting the resolution ?

The Hon'ble the President : The honourable member has a right to speak on the motion.

Dr. Zia-ud-din Ahmad : I have already said that of the two goals before us one is Indianization of services and the second is autonomy of these provinces. It is not necessary that we should have autonomy in every province at one and the same time. The provinces which show better capacity of administration, which show more co-operation between the Council and the Government, should get autonomy more quickly than the provinces where the conditions are not so favourable. I would be very keen and would like to see the day when most of these appointments would

be filled by Indians. I would like to see the day when all the subjects are transferred so that the Ministers may have complete power over the purse and appointments, I would like to see the day when in all the principal appointments like the Army and political administrative appointments, the majority of people were Indians. But this goal will be achieved by the mutual co-operation of the people—of the different communities. The position of the Muslims as I said is this that they are as eager as any other Indian to obtain self-government on the lines promised by Mr. Montagu. They are not less enthusiastic than any other party to obtain *swaraj* with as little delay as possible, but the Muslims who are in a minority, who are backward in education and who are poor in wealth naturally look forward to the safeguard of their interests in a democratic form of Government. These safeguards, I frankly acknowledge, are artificial legs, but they are necessary at this stage and without these safeguards it will not be possible for them to hold their own. The experience which the Muslims have gained in the district boards is not altogether pleasant.

The Hon'ble the President: The honourable member is going away from the Muddiman report.

Dr. Zia-ud-din Ahmad: I am just speaking of what is absolutely necessary in order to have safeguards.

The Hon'ble the President: The motion before the House concerns only the Muddiman Committee's report, and honourable members should keep it in mind that we are discussing that report—the majority report.

Dr. Zia-ud-din Ahmad: The Muddiman Committee's report does not provide sufficient safeguards for Musalmans. These are the safeguards which ought to be provided.

A voice: "You are opposed to the majority report?"

Dr. Zia-ud-din Ahmad: Yes, in this particular matter I am not in favour of it, because they have not provided safeguards for the Muham-madans such as I would like to have.

The support which we are going to give is always conditional, and the condition is that our interests should be safeguarded in at least five points. The first is that the mode of representation in the legislature and in all other elected bodies should guarantee adequate and effective representation to minorities in every province, subject, however, to the essential proviso that no majority shall be reduced to the position of a minority. That is safeguard No. 1. Safeguard No. 2 is that the idea of joint electorates with a specified number of seats is unacceptable to Indian Musalmans on the ground of its being a fruitful source of discord and disunion and also of being wholly inadequate to achieve the object of effective representation of various communal groups. The representation of the latter will continue to remain as it is at present. The third thing which we lay great stress on and which the Muddiman report has omitted altogether is the understanding which the Muslim League and the Congress arrived at at Lucknow in 1916, and it was this, that if any measure affecting any community is opposed by three-fourths of the members of that community that measure should be dropped. This we consider to be a very important safeguard for the minorities. The fourth is about the proportion of Musalmans in the services. This thing has partially been done in these provinces as far as certain services are concerned. We desire that this thing should be extended

[Dr. Zia-ud-din Ahmad.]

to every branch of the service including the posts recruited by public competitive examination. As regards competitive examination it has already been admitted that a certain proportion should be Indians. It has also been further admitted that some of them should be recruited on a provincial basis. We want to press that communal representation should also be considered, provided the persons attain a minimum standard of efficiency. This thing is not opposed to the efficiency of the services. The last and the fifth safeguard which we consider exceedingly desirable relates to special facilities in education. If the Musalmans are left behind in education they will always be a drag on *swaraj*. If we want to have real *swaraj* or self-government it is absolutely necessary that every section of the community must be educated.

The Government of India in 1912 sent a letter drawing the attention of this Government to the backward condition of Muhamadans. Lord Meston appointed a committee in 1913 and they drew up certain recommendations.

Pandit Govind Ballabh Pant: I rise to a point of order. The honourable member is entering into details.

The Hon'ble the President: I do not like intervening because it interrupts a speaker, but I must say it is very difficult to follow what the doctor is leading up to.

Dr. Zia-ud-din Ahmad: I am speaking of the safeguard, the fifth safeguard, i.e., on the question of facilities for education. I am trying to point out what facilities we require. If you think that this thing should be reserved for future discussion then I will leave it at this.

The Hon'ble the President: The honourable member had better leave it there.

Dr. Zia-ud-din Ahmad: These five safeguards which I have just pointed out are, in my opinion, essential to obtain Hindu-Moslem unity. I know of the attempt to have Hindu-Moslem unity on an all-India basis by persons interested in all-India problems has failed. But I am not hopeless about the situation. I am still sanguine and I think it is quite possible for us here to come to some kind of compromise with regard to these vexed questions between the Hindus and Muhammadans.

A voice: "You are leaving out other communities, the Parsis, Christians," etc.

Dr. Zia-ud-din Ahmad: I am taking the two main communities.

Mr. H. David: What about the other communities? There are not only Hindus and Muhammadans, but also other communities.

Dr. Zia-ud-din Ahmad: If the honourable member wishes to say about other communities I will request him to expound his opinion in his speech and allow me to say these things about the Musalman community. I am not hopeless about the situation. I think if the majority community realizes that it is their duty to safeguard the interests of the minority and, on the other hand, if the minority community realizes that it cannot dictate terms to the majority community and that they must realize that they are in a minority, if both these communities adopt this attitude, of

compromise, if the majority community will come forward and say : " You remain quiet, we will look after your interests," then I am perfectly certain that this misunderstanding will be removed and we will be nearer the goal of attaining autonomy in these provinces.

Before I sit down I should like to mention one point more and it is this: Personally I am very keen that the Council should have control over the executive in the same way as they have in other countries. But I am also aware of the manner in which resolutions are sometimes carried. Canvassing always plays a very important part and some times the orations of good speakers carry momentarily the audience with them. It is very desirable to have some kind of check. This check may be in the shape of a second chamber as suggested by the Hon'ble the Nawab Sahib of Chhahari in his evidence or it may be in the shape of veto by the Governor or it may be in the shape of veto by a committee appointed by the Council itself. I think some kind of safeguard that may be acceptable to us must be adopted. If we leave them entirely to the Council we do not know where we will land.

In the end I simply resume my seat by saying that, as far as we are concerned, we are quite willing to go hand in hand with every section of the community. But our assistance is conditional and the condition is that our interests should be adequately safeguarded according to our own ideas and should continue to be safeguarded till we ourselves consider them unnecessary.

The Hon'ble Mr. S. P. O'Donnell: I rise at this stage in order to explain that the Government do not propose to take part in this debate. On the points which were referred to us by the Government of India we have expressed our opinion and these opinions have been published. But the committee was not appointed by us; it has not reported to us and its recommendations will be considered and decided upon not by us but by the Government of India and the Secretary of State. In these circumstances we do not feel called upon, nor indeed will it altogether be proper for us, to express an opinion in regard to the recommendations of the Muddiman Committee. At the same time we are glad that the Council has had an opportunity of recording its views and a copy of the debate will be forwarded in due course to the Government of India.

The Council was then adjourned till the 3rd April.

LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

Friday, 3rd April, 1925.

THE Council met in the Council Chamber, Lucknow, at 11 a. m.
The Hon'ble the President in the Chair.

PRESENT:

The Hon'ble Mr. S. H. Fremantle.
The Hon'ble Lieut. Nawab Muhammad
Ahmad Sa'id Khan.
The Hon'ble Rai Rajeshwar Bali.
Mr. C. L. Alexander.
Mr. E. A. H. Blunt.
Kunwar Jagdish Prasad.
Mr. G. B. F. Muir.
Mr. A. C. Verrières.
Mr. C. E. D. Peters.
Mr. J. R. W. Bennett.
Mr. R. Burn.
Mr. B. J. K. Hallows.
Mr. C. M. King.
Mr. F. F. R. Channer.
Colonel A. W. R. Cochrane.
Mr. A. H. Mackenzie.
Mr. G. Clarke.
Mr. H. David.
Babu Khem Chand.
Babu Narayan Prasad Arora.
Babu Sangam Lal.
Babu Mohan Lal Saksena.
Babu Damodar Das.
Babu Jai Narayan Chaudhri.
Babu Bhagwati Sahai Bedar.
Thakur Manjit Singh Rathor.
2nd Lieut. Chaudhri Balwant Singh.
Rai Jagdish Prasad Sahib.
Chaudhri Jaswant Singh.
Chaudhri Sheoraj Singh.
Pandit Nanak Chand.
Thakur Shib Narayan Singh.
Rai Bahadur Pandit Kharagjit Misra.
Babu Nemi Saran.
Chaudhri Badan Singh.
Thakur Sadho Singh.
Pandit Brijjoandan Prasad Misra.
Pandit Bhagwat Narayan Bhargava.
Pandit Jhanni Lal Pande.

Lieut. Raja Bahadur Hakim Tej Singh.
Pandit Sri Krishna Dutt Palitwal.
Babu Persidh Narayan Anand.
Pandit Yagna Narayan Upadhyaya.
Babu Dip Narayan Roy.
Rai Bahadur Thakur Hanuman Singh.
Bhaya Hanumat Prasad Singh.
Pandit Rajjuath Misra.
Pandit Govind Ballabh Pant.
Pandit Hargovind Pant.
Mr. Mukandi Lal.
Babu Ram Chandra Sinha.
Dr. Jaikaran Nath Misra.
Kunwar Rajendra Singh.
Rai Bahadur Thakur Mashal Singh.
Babu Sita Ram.
Kunwar Krishna Pratap Singh.
Kunwar Surendra Pratap Sahi.
Rai Bahadur Babu Shankar Dayal.
Dr. Muhammad Naim Ansari.
Mr. Muhammad Ashraf Saifi.
Maulvi Zahur-ud-din.
Rao Abdul Hameed Khan.
Khan Bahadur Chaudhri Amir Hasan Khan.
Hafiz Hidayat Husain.
Khan Bahadur Shaikh Masud-uz-Zaman.
Dr. Shafiat Ahmad Khan.
Saiyid Muhammad Ashiq Husain.
Khan Bahadur Maulvi Fasih-ud-din.
Mr. Ashiq Husain Mirza.
Khan Bahadur Munshi Siddiq Ahmad.
Raja Saiyid Ahmad Ali Khan Alvi.
Khan Bahadur Chaudhri Muhammad Rashid-ud-din Ashraf.
Lala Mathura Prasad Mehrotra.
Lieut. Raja Shaikh Imtiaz Rasul Khan.
Raja Jagannath Baksh Singh.
Rai Bahadur Babu Vikramajit Singh.
Dr. Ganesh Prasad

QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

ACQUISITION OF LAND FOR THE SHAHDARA-SAHARANPUR RAILWAY.

* 1. **Rao Abdul Hameed Khan :** (a) Is the Government aware that the land needed for the construction of Shahdara-Saharanpur Railway was acquired partly permanently and partly temporarily for taking earth?

(b) Is it a fact that the compensation for the land which was acquired temporarily was paid at a lower rate?

(c) Has application been made to the Railway Company to return the temporarily acquired lands to their former owners? If so, with what result?

The Hon'ble Mr. S. H. Fremantle : 1. (a) Yes.

(b) No.

(c) The Government have ascertained that where application has been made land temporarily acquired has been relinquished. No further applications are now entertained, as the land is required by the Railway Company.

Mr. Muhammad Aslam Saifi : May I ask if any date was announced after which no application will be entertained? I also want to know if, when previously no full compensation was paid for land which was only temporarily required, any compensation has been paid now?

The Hon'ble Mr. S. H. Fremantle : I have no information on the subject. So I ask for notice.

SCHOOL FOR DEPRESSED CLASSES AT MADHYA GOSHAIN NEAR JALALABAD IN SHAHJAHANPUR.

* 2. **Babu Khem Chand :** (1) Is the Government aware that the school for depressed classes at Madhya Goshain (near Jalalabad in Shah-jahanpur district) was in a flourishing condition till August or September last?

(2) Is it a fact that the school was forced to be removed several times from the house of one tenant to another, and finally turned out of the village during this interval?

(3) Is it a fact that the district opium officer and the district board staff have inspected this school and noticed its deplorable condition?

(4) Is it a fact that some zamindars of this village have seriously threatened their tenants not to send their children to this school and rather diverted some of them to another school of the neighbouring village? If so, why?

(5) What action have the authorities taken or intend to take to protect the rights of the depressed classes in this respect?

The Hon'ble Rai Rajeshwar Bali : Government have no information, but will inquire into the matter.

JAILOR, AGRA PRISON.

* 3. **Thakur Manjit Singh Rathor :** (1) (a) What are the circumstances in which the jailor of the Agra prison has been allowed to retire from service ?

(b) What was the length of his service ?

(2) Is it a fact that the jailor in question has a uniformly satisfactory record of devoted service to his credit ?

(3) (a) What is the amount of salary that he was drawing at the time of his removal ?

(b) What is the age of the jailor in question ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : (a) The jailor was removed from service because he was found partly responsible for the escape of six convicts from the Agra central prison in September last.

(b) Sixteen years 9 months 13 days in the Jail department.

(2) His record of service was generally satisfactory, but he was severely censured in 1915 for insubordination and again in 1919 in connection with the escape of six convict overseers from the Lucknow central prison.

(3) (a) Rs. 300.

(b) Forty-four years, 9 months and 20 days on the 31st March, 1925.

The Hon'ble the President : As the Hon'ble the Home Member is ill today, the Secretary (Mr. Peters) will answer questions on his behalf.

Thakur Manjit Singh Rathor : Is it not a fact that the jailor was awarded the title of O.B.E. ?

Mr. C. E. D. Peters : I think that is correct.

Thakur Manjit Singh Rathor : Was he not also mentioned for meritorious service in the latest reports of the Inspector-General of Prisons ?

The Hon'ble the President : These are only arguments.

Thakur Manjit Singh Rathor : Will the Government consider the desirability of giving him proportionate pension if they are of opinion that the punishment inflicted on him was rather severe ?

Mr. C. E. D. Peters : The condition precedent to the honourable member's proposal is again a matter of opinion.

CONVICT SETTLEMENTS.

* 4. **Rao Abdul Hameed Khan :** (a) Will the Government be pleased to state the number of Musalman inmates of convict settlements in these provinces with reference to each district and the place where these settlements are located ?

(b) Will the Government be pleased to state which of these settlements are (1) Government-managed settlements and (2) Salvation Army settlements ?

(c) Do the Musalman inmates of these settlements enjoy complete religious liberty ? Are maulvis allowed to visit the settlements and preach there ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan :

(a) Four, i.e., one at Gorakhpur and three at Kalianpur.

(b) The Gorakhpur settlement is managed by the Salvation Army and the Kalianpur settlement by the Government.

(c) Maulvis are not allowed to visit the settlements, but the inmates have complete religious liberty.

* 5. **Rao Abdul Hameed Khan :** Will the Government be pleased to state the number of Musalman persons who have been declared members of criminal tribes in these provinces within the last ten years and their total number now ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : Figures for the last ten years are not available. The number on the register at the end of 1924 was 1,775.

Babu Nemi Saran : May I know why maulvis are not allowed to visit the settlements when there are Muhammadans there ?

Mr. C. L. Alexander : I have no information at present.

Babu Nemi Saran : Will the Government kindly inquire and let us know about this ?

Mr. C. L. Alexander : I must ask for notice of that question.

* 6. **Rao Abdul Hameed Khan :** (a) How many persons in the Government convict settlements or Salvation Army settlements have become converted to Christianity during the last ten years ?

(b) How many of the inmates of these settlements are Christians today ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : (a) The information is not available.

(b) One hundred and seventy nine in the Salvation Army.

VERNACULAR PRIMARY AND MIDDLE SCHOOLS.

* 7. **Rao Abdul Hameed Khan :** Will the Government be pleased to lay on the table a statement showing—

(a) the number of vernacular primary and middle schools in—

(i) Dehra Dun district, and

(ii) Roorkee sub-division ;

(b) how many of these schools take boys of all denominations and how many are reserved exclusively for non-depressed class boys and how many exclusively for depressed class boys ;

(c) what are the numbers of the boys on the rolls of each school—

(i) how many Hindus,

(ii) how many Muslims ;

(d) how many teachers do these schools employ—

(i) how many Hindus,

(ii) how many Muslims ;

(iii) how many of these teachers know Hindi only and how many Urdu only, and how many both ;

(e) how many of these schools teach Hindi only and how many Urdu only and how many teach both the languages ;

(f) what is the expenditure of these schools? How much out of this expenditure is incurred by the Government and how much is met by the district boards out of their income?

* 8. Will the Government be pleased to state—

(a) the number of Muhammadan boys whose names have been removed from the vernacular schools of Saharanpur during the year 1923-24;

(b) the decrease in the number of Muhammadan boys in these schools;

(c) the circumstances which led to the decrease in the number of Muhammadan boys in these schools?

The Hon'ble Rai Rajeshwar Bali: Government regret that they have not been able to collect the information asked for in time.

SUBMISSION OF MUNICIPAL BOARDS' REPORTS TO COMMISSIONERS.

* 9. **Rao Abdul Hameed Khan:** Is the Government aware of the fact that some municipal boards do not address their annual reports to the Commissioners as hitherto? If so, which municipal boards adopted this practice? Does the Government contemplate to take any measures regarding this?

The Hon'ble Rai Rajeshwar Bali: The answer to the first part of the question is in the negative. The remainder of the question does not arise.

SUSPENDED RESOLUTIONS OF DISTRICT AND MUNICIPAL BOARDS AND NOTIFIED AREAS OF THE PROVINCE.

* 10. **Thakur Har Prasad Singh:** Will the Government be pleased to lay on the table the copies of the resolutions of the district boards, municipalities, notified areas of the United Provinces and Oudh suspended or disallowed by Commissioners and District Magistrates respectively in the years 1924 and 1925 with the orders of the above-mentioned authorities and the Government orders passed in connection with such resolutions?

The Hon'ble Rai Rajeshwar Bali: The information is being collected and is not yet available.

FINANCES OF THE BANDA MUNICIPALITY.

* 11. **Thakur Har Prasad Singh:** Will the Government be pleased to give the following information:—

(a) Income of the municipality of Banda in 1920-21 and 1924-25?

(b) Expenditure of the said municipality in 1920-21 and 1924-25?

(c) Taxes in force in 1920?

(d) Taxes abolished and created in 1920 to 1925?

The Hon'ble Rai Rajeshwar Bali: (a) The income of 1920-21 is Rs. 48,986 and the estimated income of 1924-25 is Rs. 70,545.

(b) The expenditure of 1920-21 is Rs. 47,470 and the estimated expenditure of 1924-25 is Rs. 72,962.

(c) Octroi and the tax on callings and vocations.

(d) The taxes abolished were octroi and the tax on circumstances and property. The taxes created were terminal tax and toll, the tax on circumstances and property and the building tax.

TEACHERS FROM AMONG THE DEPRESSED CLASSES.

*12. **Babu Khem Chand:** Will the Government be pleased to state the number of teachers employed from among the depressed classes in primary schools of the depressed classes?

The Hon'ble Rai Rajeshwar Bali: Government regret that they have not been able to collect the information asked for in time.

VERNACULAR DEPARTMENT OF THE SECRETARIAT.

*13. **Dr. Shafa'at Ahmad Khan:** (1) What was the whole-time staff employed on purely vernacular newspaper work in the Vernacular department of the Secretariat in March, 1905? What was its cost and what was the number of vernacular newspapers and periodicals published then?

(2) What was the strength of the whole-time staff employed on vernacular newspaper work in the Vernacular Newspaper section of the Criminal Investigation department in March, 1910? What was its cost and what was the number of vernacular newspapers and periodicals published then? Will Government supply similar information regarding the Vernacular Newspaper section of the Criminal Investigation department for March, 1915 and March, 1920?

The Hon'ble Mr. S. H. Fremantle: (1) One Government Reporter and four clerks at a cost of Rs. 628 a month. The number of vernacular papers and periodicals published in 1905 was 145.

(2) The information is given below:—

Year.	Strength of clerical staff, excluding the gazetted officer in charge.	Cost per month of clerical staff.	No. of vernacular newspapers and periodicals.
1910	5	Rs. 625	246
1915	5	370	302
1920	7	638	356

*14. **Dr. Shafa'at Ahmad Khan:** What is the strength of the whole time staff employed on vernacular newspaper-cum-vernacular publicity work in the publicity office in March, 1925? What is its cost and what is the number of vernacular newspapers and periodicals published now?

The Hon'ble Mr. S. H. Fremantle: One Publicity officer on Rs. 1,200 per month and seven clerks Rs. 1,010 a month. The number of vernacular newspapers and periodicals published at the end of December, 1924 was 408.

*15. **Dr. Shafa'at Ahmad Khan:** Why has Government changed its policy of placing a deputy collector in charge of the Newspaper branch?

The Hon'ble Mr. S. H. Fremantle: No deputy collector was ever in charge of the Newspaper branch when it formed part of the Secretariat. It was only when the work was transferred to the Criminal Investigation department that sometimes a deputy collector was put in charge and sometimes a deputy superintendent of police. The Government are now reverting to the old practice of having a Secretariat officer in charge of the branch.

GOVERNMENT HIGH SCHOOL, MEERUT.

*16. **Chaudhri Sheoraj Singh:** (1) Is it a fact that the head master of the Government High School, Hapur, in Meerut district has issued an order making inoculation strictly compulsory for all the students of the school?

(2) If so, will the Government be pleased to put a copy of the said order on the table?

(3) Is it also a fact that the head master has expelled from the school some of the students who were unwilling to get themselves inoculated?

The Hon'ble Rai Rajeshwar Bali: Inquiries are being made.

GIRLS' HIGH SCHOOLS.

*17. **Chaudhri Sheoraj Singh:** (1) Will the Government be pleased to state the number and names of, and the amount given as grant-in-aid to, the girls' high schools in these provinces in the last four years?

(2) Is it a fact that Partap Singh Girls' High School, Moradabad, is not receiving Government grants-in-aid at present?

The Hon'ble Rai Rajeshwar Bali: (1) A statement is laid on the table of the honourable member.

(2) Yes.

Chaudhri Sheoraj Singh: Did the authorities apply for grants-in-aid?

The Hon'ble Rai Rajeshwar Bali: No.

Statement referred to in starred question No. 17 for 3rd April, 1925.

Serial number.	Name of school.	Amount of grant in.—				Remarks, if any.
		1921-22	1922-23.	1923-24.	1924-25.	
		Rs.	Rs.	Rs.	Rs.	
1	A. P. P. Mission Girls' High School, Dehra Dun.	4,925	5,925	5,325	7,008	
2	Kanya Pathshala, Dehra Dun.	7,500	7,500	7,500	7,500	
3	Queen Victoria Girls' High School, Agra.	6,798	6,798	6,792	7,440	
4	Mary Wanamaker Girls' High School, Allahabad	7,392	7,392	7,392	7,792	
5	Crosthwaite Girls' High School, Allahabad.	14,424	14,424	14,424	26,424	* Raised to the intermediate standard from 1924-25.
6	Theosophical National Girls' High School, Benares.	6,000	6,000	6,000	13,272	
7	M. E. Mission Girls' Boarding High School, Meerut.	4,442	4,442	4,440	4,440	
8	Isabella Thoburn Girls' High School, Lucknow.	8,804	8,804	8,803	†	† Reduced to middle standard.
9	Muslim Girls' School, Lucknow.	..	6,000	6,008	6,000	
10	Jagat Taran Girls' High School, Allahabad.	..	..	..	8,004	

SADABAD TAHSIL IN MUTTRA.

*18. **Hafiz Hidayat Husain** : Did the Collector of Muttra report on the unsuitability of Sadabad for being the headquarters of the combined tahsil and recommended Basawar instead ? If so, does the Government propose to accept the recommendation ? If not, why not ?

The Hon'ble Mr. S. H. Fremantle : The Collector of Muttra expressed the opinion that neither Sadabad nor Mahaban was well situated for the headquarters of the new tahsil and said that, if money had been available, he would have liked to locate the tahsil at Basawar. As, however, funds for the purpose were not available, he recommended that Sadabad should be appointed the headquarters of the combined tahsil. This recommendation was accepted by Government, the suggestion that the tahsil should be located at Basawar being unacceptable on financial grounds ?

Mr. Muhammad Aslam Saifi : Was any representation made to the Government by the residents of Mahaban with a view to keeping the tahsil there ?

The Hon'ble Mr. S. H. Fremantle : I think it is probable ; but I have no information on the subject.

GOVERNMENT'S ACTION ON RESOLUTION ABOUT MEDICAL PRACTITIONERS AS CIVIL SURGEONS.

* 19. **Hafiz Hidayat Husain** : What steps is the Government taking to bring into effect the resolution passed by the Council regarding the appointment of medical practitioners as civil surgeons ? If no steps have so far been taken, will the Government be pleased to state the reasons why ?

The Hon'ble Rai Rajeshwar Bali : The resolution will be considered shortly along with the question of the re-organization of the medical services.

RISE IN PRICE OF GRAIN.

* 20. **Hafiz Hidayat Husain** : With reference to my question regarding rise in price of grain and the Government reply thereon, will the Government be pleased to state if it has yet come to any conclusion in order to secure a check to the rise in prices ?

The Hon'ble Mr. S. H. Fremantle : Government are not contemplating any measures of relief at present.

Muharram RIOT, PILIBHIT.

* 21. **Pandit Brijnandan Prasad Misra** : Is it a fact that at the time of the last Muharram riots in Pilibhit the naib-tahsildar, the tahsildar, the sub-divisional officer and the kotwal were all Muhammadans and that the present District Magistrate, unlike his immediate predecessor, left the actual work of controlling these processions to these subordinates without himself moving out before the outbreak of trouble ?

The Hon'ble Mr. S. H. Fremantle : The tahsildar, sub-divisional officer and kotwal were all Muhammadans. The naib-tahsildar was a Hindu. The District Magistrate adopted the same steps which had been adopted by his immediate predecessors since the 1920 riot, and was present at the chief danger point for the processions on the 7th and 9th

days until they had completely passed, and he also attended in person the illuminated procession on the 9th night from 10 p. m. to 1 a.m. There was no reason to anticipate trouble on the last day, nor was there anything to show that the District Magistrate's presence was required at any one spot in the city more than any other. But he was in readiness to proceed to the city, whenever wanted and he in fact proceeded there by car as soon as he received news of the disturbance. The Government consider that he did all that there was reason to believe to be required.

* 22. **Pandit Brijnandan Prasad Misra :** Is it a fact that the authorities in Pilibhit had been anticipating trouble in the last *Muharram* and had taken the precaution of issuing an order under section 144, Criminal Procedure Code, or under the Police Act prohibiting people from carrying sticks, etc.?

If so, why did not the District Magistrate at any time of the processions himself come out to supervise the processions?

The Hon'ble Mr. S. H. Fremantle : (a) The authorities did not anticipate any special trouble, nor was there the least indication of trouble till the afternoon of the last day, which is not usually one of the more important days at Pilibhit. The orders issued under section 144, Criminal Procedure Code, including that prohibiting the carrying of *lathis* were those ordinarily enforced in Pilibhit at the time of *Muharram*. There was no new departure.

(b) The honourable member is referred to the answer given to the second portion of question No. 21.

* 23. **Pandit Brijnandan Prasad Misra :** How many of the persons prosecuted are Hindus and how many Muhammadans?

The Hon'ble Mr. S. H. Fremantle : Thirty-seven Hindus and no Muhammadans have been prosecuted. The offenders were Hindus.

* 24. **Pandit Brijnandan Prasad Misra :** Were any complaints regarding the defiling of Arya Samaj *mandir* and an attack by Muhammadans on the temple in front of the house of the chairman of the district board, Pilibhit, investigated by the police or any magistrate?

If so,—

(a) What is the report of the investigating officers in each case?

(b) How were these complaints finally disposed of?

The Hon'ble Mr. S. H. Fremantle : (1) (a) A servant of the Arya Samaj temple deposed before the sub-divisional magistrate two days after the disturbance that from 150 to 200 men had attacked and defiled the temple. The sub-divisional magistrate inquired into the matter, and the police also were ordered to hold an investigation. The District Magistrate himself inspected the locality, but there was no sign of an attack having been made. No proof of the defilement of the temple could be secured against anyone, and the evidence of the complainant and his witnesses was largely contradictory. Further, the incident was highly improbable in itself because a large body of police had been stationed in the immediate neighbourhood at the time, one being actually on the temple roof.

(b) The final report was approved by the court, and the papers were deposited.

(2) (a) A report was made to the police at the kotwali two days after the disturbance that the temple in front of the house of the chairman of the district board had been attacked, broken open and desecrated by Muhammadans on the afternoon of the disturbance. The complaint was investigated by a sub-inspector of police (Hindu) and found to be false. The District Magistrate personally inspected the temple on the morning following the lodging of the report, and found that the temple had clearly not been broken into nor damaged inside. A few pieces of plaster had been knocked off the outside, and this might have been the result of brick-bat-throwing or might even have been intentionally done by the complainant. The damage was so trivial that if caused by brick-bats it was in all probability the result of stray shots from the *mélée* which occurred in the street by the chairman's house and not of an attack on the temple. It is by no means certain that the brick-bats thrown in the *mélée* were thrown by Muhammadans; indeed, as far as could be ascertained, the throwing of brick-bats was chiefly the work of Hindus, who throw them on Muhammadans in the street from the tops of houses, and also fired a gun in their direction.

(b) The final report was approved by the court, and the papers were deposited.

NEW COUNCIL CHAMBER WORKS.

* 25. **Pandit Nanak Chand :** (a) Will the Government be pleased to lay the copy of the tender of the new Council Chamber works on the table?

(b) Will the Government be pleased to state separately the amount paid so far to the architect for designing and supervising the new Council Chamber, and what amount still remains to be paid under these heads separately?

(c) Will the Government be pleased to state the amount so far paid to the architect under heads other than the charges for designing and supervision and what still remains to be paid to him for the completion of the works; and what are these miscellaneous heads?

Mr. A. C. Verrières : (a) A copy of the tender is laid on the honourable member's table.

	Paid.	To be paid.
	Rs.	Rs.
(b) (1) Sketch drawings ...		
(2) Approximate estimate and drawings } and specifications for estimate.	81,437	Nil.
(3) Working drawings and specifications } for contractors and other details for execution of work.	14,633	46,039
(4) General supervision ...		
(5) Preparation of bills and passing bills...		
(6) Preparation of estimate ...	30,336	Nil.
Total ...	1,26,406	46,039

(c) Nothing is to be paid beyond the above figures.

Pandit Nanak Chand : Have any cracks appeared in the building, and, if so, is any loss to be recovered from the money which is still to be paid ?

Mr. A. C. Verrières : Well, hair cracks have appeared in the building, but they are absolutely of no consequence at the moment. There is not the smallest danger anticipated at present.

Pandit Nanak Chand : How many cracks are there ?

Mr. A. C. Verrières : I am not sure how many cracks there are. There are a series of very fine hair cracks in the foundation.

Pandit Nanak Chand : In which the storey of the building are the cracks now ?

Mr. A. C. Verrières : They are in the foundation—in the basement.

Pandit Nanak Chand : Has the total load of the building been completed ?

Mr. A. C. Verrières : The dome has yet to come—a matter, I believe, of about 100 tons.

Pandit Nanak Chand : Who was supervising the work of the Council Chamber when the foundations were being laid ?

Mr. A. C. Verrières : Mr. Marsden, and of course there is always a Superintendent of Works.

Pandit Nanak Chand : Did the Superintendent of Works approve the foundations ?

Mr. A. C. Verrières : I expect he must have, because no complaints were made by him.

Pandit Nanak Chand : Is the Hon'ble the Chief Engineer sure that he did not bring this matter to the notice of the Government ?

Mr. A. C. Verrières : As far as I remember he did not bring this matter to the notice of the Government. I know that the foundations were sandy, but sand is supposed to be compressible.

Pandit Nanak Chand : Has any information been called for from the Superintendent of Works who is appointed on behalf of the Government ?

Mr. A. C. Verrières : Not at the moment, because as a matter of fact the cracks were absolutely of no consequence.

Mr. H. David : Is it not a fact that the sand in the foundation was discovered before the foundation was laid ?

Mr. A. C. Verrières : I have said that the foundation was sandy, but sand is supposed to be compressible ?

* 26. **Pandit Nanak Chand :** With reference to starred question No. 46, dated the 27th February 1925, will the Government be pleased to state clearly what Mr. Marsden's technical qualifications are ?

Mr. A. C. Verrières : No legal qualifications for an architect exist at the moment; but a registration Bill is about to be introduced in England. When this becomes law, Mr. Marsden will be entitled to be placed on the register. But he served his articles for five years before 1917 and assisted on important public works in England for two firms of architects before joining Mr. Lanchester's staff. He would have become a member of the Royal Institute of British Architects before this, but for the fact

that his duties here precluded his taking leave, and there is no machinery for enrolling members of this body in India.

* 27. **Pandit Nanak Chand:** (a) Will the Government be pleased to state the period for which Mr. Lanchester was away from India since the beginning of the constructing of the new Council Chamber? When was the work actually started?

(b) Who was the accredited representative of the architect who supervised the works on his behalf during his absence from India?

Mr. A. C. Verrières: (a) Mr. Lanchester was in England from September, 1922 to January, 1925. The work on the new Council Chamber was ordered to be started on the 25th August, 1922.

(b) Mr. Marsden has supervised the work on behalf of the architect during his absence.

Pandit Nanak Chand: Is it a fact that some of the roofs also have cracked?

Mr. A. C. Verrières: It has not been brought to my notice? I am not aware of it.

* 28. **Pandit Nanak Chand:** (a) Will the Government be pleased to lay on the table a copy of rates for additional works not provided for in the tender or rates sanctioned in excess of the tender?

(b) With reference to answers in connection with starred questions Nos. 51 and 52, dated the 27th February, 1925, will the Government be pleased to state the total amount of money paid so far for those items which have been sanctioned in excess of or over tendered rates?

Mr. A. C. Verrières: (a) A statement showing the items and their rates not provided in the contract agreement of Messrs. Martin & Co., contractors, as also a statement showing rates sanctioned in excess of the tendered rates are laid on the table.

(b) The total amount paid for items in excess of the tendered rates is Rs. 8,032.

Pandit Nanak Chand: Have these excess rates been paid with the approval and on the advice of the Superintendent of the works?

Mr. A. C. Verrières: I do not think that the Superintendent of the works has anything to do with them. The entire responsibility lies with the Public Works department.

Pandit Nanak Chand: Was any speculation made to this effect in the contract?

Mr. A. C. Verrières: Yes, it was provided in clause 13 of the contract.

Statement showing the items and their rates not provided in the contract agreement of MESSRS. MARTIN & Co., contractors for the Council Chamber works, Lucknow.

BASEMENT FLOOR		Rs.	a.
1.	R. B. lintel above 5' span ...	1	15 c.ft.
2.	Cement brickwork ...	126	0 % c.ft.
3.	Reinforcement ...	16	0 per maund.
4.	Cement concrete in foundation 1:2:4 ...	2	0 c.ft.
5.	Ditto 1:2:5 ...	1	12 do.

BASEMENT FLOOR.

	Rs.	a.	
6. Extra for arch brickwork in cement ...	7	0	% c.ft.
7. R. B. work in staircase ...	1	15	c.ft.
8. Old rails ...	1	4	r.ft.
9. Double band at spring of jack arches ...	0	5	do.

GROUND FLOOR.

10. Cement brickwork ...	126	0	% c.ft.
11. R. B. lintel above 5' span ...	1	15	c.ft.
12. Jack arching ...	78	8	% c.ft.
13. Cement concrete lintel and slab ...	3	4	c.ft.
14. Reinforcements ..	16	0	per maund.
15. Extra for carved ornamentation ...	0	0	c.ft.
16. Extra for geometrical ornamentation ...	3	8	do.
17. R. B. work in steps ..	1	15	do.
18. Special plaster under soffit of lintel and joists ...	25	0	% s.ft.
19. Pendant in cast cement concrete ...	6	0	each.
20. Plaster and moulding in cement mortar on expanded metal lathe ...	1	12	s.ft.
21. Moulded plaster work ...	60	0	% s.ft.
22. Brick boxing to joists ...	126	0	% c.ft.
23. Hood moulding with brackets in open area ...	30	0	each.
24. Iron punkha hooks to girders ...	1	4	do.
25. Ditto reinforced brick-work ...	1	4	do.
26. Wooden blocks with iron clamps for electric installations ...	0	4	do.
27. Extra for cement brick to cornices ...	0	12	do.

FIRST FLOOR.

	Rs.	a.	
28. Cement brickwork ...	129	0	% c.ft.
29. R. B. lintel above 5' span ...	1	15	c.ft.
30. Cement concrete in lintel and slab ...	3	4	do.
31. Reinforcements in cement concrete lintels ...	16	0	per maund.
32. Coke breeze block ...	0	2	each.
33. Jack arching ...	78	8	% c.ft.
34. R. B. work in staircase ...	1	15	c.ft.
35. Extra for geometrical ornamentation ...	3	8	do.
36. Plastering to brackets and moulded panels under main cornice ...	5	0	r.ft.
37. Moulded plaster on caps of pillars and pillars ...	60	0	% s.ft.
38. Bitumite sheets of expansions joints ...	0	13	r.ft.
39. Plastering and moulding to hoods with brackets, etc. ...	30	0	each.
40. Throating with parapet coping ...	0	5	r.ft.
41. Plaster and moulding cement mortar to expanded metal lathe ...	1	12	s.ft.
42. Brick boxing to joists ...	129	0	% c.ft.

SECOND FLOOR.			Rs. a.		
43.	Cement brickwork	...	129	0	% c.ft.
44.	R. B. lintel above 5' span	...	1	15	c.ft.
45.	Cement concrete in lintel, ribs, skewback, etc.	...	3	4	do.
46.	R. B. work in steps	...	1	15	do.
47.	Big special bends fixed in position	...	8	8	each.
48.	Obtuse bends fixed in position	...	3	4	do.
49.	Bitumite sheet for expansion joint	...	0	13	r.ft.
50.	Cement brickwork to elliptical dome	...	1	9	c.ft.

STORM DRAINAGE AND SOIL DRAINAGE.

51.	Cement plaster for 30" brick sewer drain	...	12	0	% s.ft.
52.	4" S. W. pipe drain	...	1	8	r.ft.

Statement showing rates sanctioned in excess of the tendered rates.

BASEMENT FLOOR.			Rs. a.		
1.	Extra for centring of large arches	...	15	0	each.

GROUND FLOOR.					
2.	Forming rough moulding to cement concrete	...	0	7	r.ft.
3.	Extra for centering of large arches	...	0	15	each.
4.	Extra for cement slab diagonal pattern in outside verandahs	...	10	8	% s.ft.

FIRST FLOOR.					
5.	Extra for centering of large arches	...	20	0	each.
6.	Extra for cement slab diagonal pattern in outside verandah	...	10	8	% s.ft.
7.	Forming rough moulding to cement concrete	...	0	7	r.ft.
8.	Concrete flushing on either side expansion joint and at junction of roof and parapet	...	0	4	each.

SECOND FLOOR.					
9.	Extra for centering of large arches	...	20	0	each.
10.	Forming rough moulding to cement concrete	...	0	7	r.ft.
11.	Concrete flushing on either side of expansion joint and junction of parapet	...	0	4	do.

* 29. **Pandit Nanak Chand** : Will the Government be pleased to state, with reference to answer to starred question No. 53, dated the 27th February, 1925, whether, apart from the "general" practice "on all public works," there was any specific condition laid down in the contract about the sub-letting of the works by the contractor, if so, what is that condition?

Mr. A. C. Verrières : No other condition was laid down.

* 30. **Pandit Nanak Chand**: What is the total outlay on the new Council Chamber up to the nearest available date and what is the total approximate cost of the building?

Mr. A. C. Verrières: The total outlay on—

	Rs.
The new Council Chamber up to the end of March, 1925	= 9,69,458
Estimated cost of the building	= 24,21,035

ELECTORAL ROLLS.

* 31. **Pandit Nanak Chand**: Will the Government be pleased to state what steps, if any, are the district boards required to take to prepare new electoral rolls for the elections in December, 1925?

The Hon'ble Rai Rajeshwar Bali: A district board is not required to take any step to prepare the new electoral roll.

Pandit Nanak Chand: Then how is it proposed to conduct these district board elections? On the basis of the old system?

The Hon'ble Rai Rajeshwar Bali: The new electoral rolls will be prepared by the District Magistrate who is the election officer.

Pandit Bhagwat Narayan Bhargava: Are the district boards required to pay the cost of the preparation of electoral rolls?

The Hon'ble Rai Rajeshwar Bali: Yes.

SUPERINTENDENTS OF POLICE.

* 32. **Pandit Nanak Chand**: Will the Government be pleased to lay on the table the Government of India rules or instructions which require preference being given to junior assistant superintendents over senior deputy superintendents of police while making appointments to the office of superintendents of police?

The Hon'ble Mr. S. H. Fremantle: The practice followed by Government is in accordance with the orders conveyed by the Government of India on the subject of the recommendations of the Royal Commission (Islington). In this the percentage of Indians to be recruited to the Indian (Imperial) Police Service by promotion is fixed at 11. As a result of this, if these seven posts of superintendents specifically reserved for deputy superintendents are excluded, duly qualified assistant superintendents would ordinarily be promoted to the rank of superintendent in preference to deputy superintendents. Assistant superintendents have been recruited to fill superintendentships in the ordinary course and deputy superintendents have been recruited to fill inferior posts and can only be promoted to fill superior posts to the extent permitted by the orders of the Government of India.

Pandit Nanak Chand: What is the import of the last sentences which runs as follows:—

“Assistant superintendents have been recruited to fill superintendentships in the ordinary course and deputy superintendents have been recruited to fill inferior posts.”

What inferior posts are there in the Police department?

The Hon'ble Mr. S. H. Fremantle: They are the posts of deputy superintendents.

Pandit Nanak Chand : Is it not a fact that the posts of deputy superintendent was created to recruit Indian superintendents from the Indian section ?

The Hon'ble Mr. S. H. Fremantle : I am not aware that that was the reason for the creation of the post of deputy superintendent.

Pandit Nanak Chand : Was not that the recommendation of the Police Commission of 1902-03 ?

The Hon'ble Mr. S. H. Fremantle : I am afraid I do not know.

PUNITIVE POLICE TAX IN JALALABAD TAHSIL.

* 33. **Lieut. Raja Durga Narayan Singh :** (1) Is it a fact that a punitive police tax has been imposed on some villages of Jalalabad tahsil in Shahjahanpur district ?

(2) Is it a fact that these villages suffered badly from the last floods, and *kharij* revenue and rents of these villages had to be suspended and remitted ?

(3) Is it intended to excuse these villages from the punitive tax, in view of their general poverty and subsequent conduct in assisting the authorities against bad characters ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : (1) Yes.

(2) Yes. One half of the *kharij* demand was remitted.

(3) No proposal of this kind has reached the Government. It is understood that the villages are still prosperous, and the only help given to the authorities has been that two of the inhabitants have evidence in a case.

HONORARY MAGISTRATES IN ALMORA.

* 34. **Pandit Hargovind Pant :** (1) What is the total number of honorary magistrates in district Almora ?

(2) How many cases did each of them dispose of during 1924 ?

(3) Has any name been recommended to the Government recently, and is any appointment under consideration ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : (1) Ten.

(2) A statement is laid on the table.

(3) Yes. There have been two recommendations recently. They are at present under consideration.

Statement referred to in answer to starred question No. 34 of the 3rd April, 1925.

Name of magistrate.	Number of cases.
1. Pandit Tara Datt Pande, I class ...	21
2. Rai Pandit Dharmanand Joshi Bahadur, I class ...	31
3. Kunwar Bikram Bahadur Pal, III class ...	14
4. Rai Bahadur Thakur Anup Singh, II class ...	60
5. Rai Sahib Lala Harkishan Lal, III class ...	166
6. Major R. G. Bellairs, O.B.E., I class ...	7
7. Haji Neaz Muhammad, III class ...	Bench 19
8. Rai Bahadur Lala Chiranji Lal Sah, III class.	
9. Captain Chomu Singh, III class ...	
10. Pandit Lakshmi Datt Joshi, III class	

Pandit Hargovind Pant : May I know the names of the two candidates that have been recommended ?

Mr. C. E. D. Peters : The question is under consideration, and if is decided to appoint these gentlemen, their names will be announced.

Pandit Hargovind Pant : What are the qualifications of these persons ?

Mr. C. E. D. Peters : The same considerations and qualifications would apply in this case, as in the case of other honorary magistrates.

* 35. **Thakur Har Prasad Singh :** Does the Government provide the courts of honorary magistrates and munsifs with Acts and rulings in Hindi or Urdu ?

The Hon'ble Raja Sir Muhammad Ali Muhammad Khan : It is believed that honorary magistrates and munsifs who are not acquainted with English are supplied with vernacular copies of the more important Acts.

DISTRICT BOARD OFFICE BUILDING, BANDA.

*42. **Khan Bahadur Shaikh Masud-uz-Zaman :** Has the Government instituted any local inquiry concerning the matters referred to in questions Nos. 15 and 16 of 26th January, 1925 ?

(a) If so, what are the terms of reference of this inquiry ?

(b) Has the officer in charge of this inquiry taken all the registers, files and other papers into the custody ?

(c) Is there any record of an agreement in the district board's office showing that there existed a contract between the board and those persons who are described (in answers to questions referred to above) as "petty contractors" previous to the advance of Rs. 11,000 given to the member to distribute the money to them ?

(d) Has the officer in charge of this inquiry ascertained (1) whether these persons, described as "petty contractors", are independent contractors, (2) whether their names were ever entered on the register of the district board kept for the purpose before this advance of Rs. 11,000, (3) whether they are really servants or dependants of the member himself ?

(e) Has any account been submitted to the officer in charge of this inquiry, and, if so, what are the dates of payment shown therein ?

*43. (a) Is it a fact that the sum of Rs. 1,70,000 which the former district board of Banda had saved with a view to building a dispensary has been spent over and above the annual income of the board ?

(b) If so, has any other big building, except the office for which Government estimates were Rs. 23,000 only, been built, or any big scheme of constructing roads, etc., been completed ?

*44. (a) Is it a fact that the secretary, district board, has been discharged by the chairman without any fault attributed to him and without the requisite majority of the members of the board ?

(b) Is it a fact that the secretary raised objection to the advance of Rs. 11,000 and asked in writing for the accounts of this sum ?

(c) Was any account of this sum submitted to the board before the secretary was discharged ?

* 45. Is it a fact that the inquiry referred to in previous question was confined to only one item, i.e., the lime kilns, and no other suspected transactions concerning the use of the district board's money was investigated?

The Hon'ble Rai Rajeshwar Bali : Inquiry is being made and the information is not yet available.

SLAUGHTER-HOUSE AT HAMIRPUR.

* 46. **Khan Bahadur Shaikh Masud-uz-Zaman :** (a) Is it a fact that Hamirpur district board has passed a resolution allowing only the slaughter-house of Panwari for Burma meat trade in the district and consequently the slaughter-houses of Mahoba and Maudaha had to be closed?

(b) Is it a fact that the chairman, notified area of Mahoba, has recently issued an order that for ordinary local consumption not more than five animals can be slaughtered per day, while the District Magistrate subsequently directed that ten animals can be slaughtered per day?

(c) Will the Government be pleased to inquire and state under what law the district board, the chairman, notified area, and the District Magistrate purported to act?

(d) Did the Collector, Hamirpur, invite the opinion of certain non-official Hindus and Muhammadans of Hamirpur and Banda on the subject? Did he accept the recommendations of either side?

The Hon'ble Rai Rajeshwar Bali : Inquiry is being made and the information is not yet available.

TOWN AREAS, NOTIFIED AREAS AND MUNICIPALITIES IN THE JHANSI DIVISION.

* 47. **Pandit Bhagwat Narayan Bhargava :** (1) Has the Government fixed any minimum of income of a locality for declaring it a town area, notified area and a municipality? If so, how much?

(2) Will the Government be pleased to give the annual income of the existing town areas, notified areas and municipalities of the Jhansi division during the year ending 31st March, 1925?

The Hon'ble Rai Rajeshwar Bali : (1) No.

(2) A statement is laid on the honourable member's table. The income for the year 1924-25 is estimated and not actual.

Enclosure to answer to starred Council question No. 47 for 3rd April, 1925, to be placed on Pandit Bhagwat Narayan Bhargava Sahib's table.

Name of municipality, etc.				Estimated income during 1924-25.	
<i>Municipalities.</i>				Rs.	
Jhansi	..	..	..	1,79,860	Including contribution from Government.
Mau	..	..	..	30,100	Ditto.
Lalitpur	..	..	..	31,650	Ditto.
Orai	..	..	..	22,012	Ditto.

Name of municipality, etc.	Estimated income during 1924-25.	
<i>Municipalities:—(concl'd.).</i>	Rs.	
Kalpi	20,641	} Including contribution from Government.
Kunch	26,935	
Banda	70,545	
Karwi	7,485	} Notified areas.
Mahoba	17,300	
Rath	11,512	
Jalaun district—		
Jalaun town area ..	7,084	} Jalaun district.
Madhogarh ditto ..	1,427	
Hamirpur ditto ..	4,327	
Sumerpur ditto ..	1,553	} Hamirpur district.
Maudaha ditto ..	3,325	
Jaitpur ditto ..	1,407	
Garhia Pathak ditto ..	3,000	} Jhansi district.
Barwa Sagar ditto ..	1,635	
Chirgaon ditto ..	11,935	
Moth ditto ..	2,803	} Jhansi district.
Gurserai ditto ..	650	
Ranipur ditto ..	2,165	
Talbhet ditto ..	1,533	} Banda district.
Mahroni ditto ..	1,828	
Atarra ditto ..	3,110	
Naraini ditto ..	2,435	} Banda district.
Rajapur ditto ..	2,825	
Sitapur ditto ..	1,775	

UNSTARRED QUESTIONS.

ROORKEE-PIRAN KALIAR SHAREEF ROAD IN SAHARANPUR.

1. **Rao Abdul Hameed Khan** : Will the Government be pleased to state who is responsible for the repairs of the road leading from Roorkee to Piran Kaliar Shareef in the Saharanpur district ?

The Hon'ble Mr. S. H. Fremantle : The road is maintained by Government.

SHAHDARA-SAHARANPUR LIGHT RAILWAY.

2. **Rao Abdul Hameed Khan :** (a) Is the Government aware that the Shahdara-Saharanpur Light Railway Company runs only one Up and one Down train within 24 hours although the goods and passenger traffic on that line is as heavy as anywhere else ?

(b) That the company does not have any second class compartment in the trains ?

(c) That the company has only a small compartment of inter class which is not commodious enough and is always overcrowded ?

(d) That there are no lavatories in the third class compartments ?

(e) That there are no waiting-rooms for first and second class passengers either at Saharanpur or at Shahdara ?

(f) That the company charges a higher rate of railway fare than other companies ?

(g) Will the Government be pleased to state the reasons for these facts and to place on the table a copy of the answer received from the company ?

Mr. A. C. Verrières : (a) The Government have ascertained that two passenger (mixed) trains run each way daily.

(b) Second class accommodation was abolished as far back as 1909—practically from the inception of the railway—as it was not popular. The new stock, however, has been provided with this class of accommodation.

(c) There are two intermediate compartments on each train : one for men and the other for women. The Government understands that these compartments are at times crowded.

(d) Yes, but as the railway is less than one hundred miles in length, it is not required to provide latrines in third class carriages. Latrines are, however, provided in all compartments for females.

(e) Yes. Expenditure on the provision of waiting-rooms is not warranted, as trains are timed to connect with the East Indian and North-Western Railway trains. It is understood that no inconvenience has hitherto been experienced.

(f) The fares charged on this railway were approved by Government and are lower than those charged by other narrow-gauge railways.

(g) The substance of the reply received has been given above.

SELECTION OF MUNSIFS.

3. **Chaudhri Sheoraj Singh :** (a) Is it a fact that in the selection of munsifs Government endeavours to secure the due representation of the different classes of the community ? If so, how many candidates of the Merh Rajput community—commonly known as goldsmiths—were selected at the last selection in the year 1923 by the Allahabad High Court and how many were rejected, and why ?

(b) What was the number of candidates selected separately from other communities, and was the number of Merh Rajput candidates selected in due proportion to the number taken from other communities ? If not, why ?

Mr. C. L. Alexander : (a) Yes (vide rule 4 of the rules regarding the appointments to the Judicial branch of the United Provinces Civil Service). No Merh Rajput was selected by the Allahabad High Court in 1923. Only one member of that community applied, and he was rejected. The Government are not prepared to disclose the reasons for the rejection of the candidate.

(b) The total number of candidates selected was 27, namely—

- 1 Bengali vaid,
- 6 Muhammadans,
- 8 Kayasthas,
- 1 Bengali Brahman,
- 1 Kashmiri Brahman,
- 2 Vaishes,
- 3 Brahmans,
- 4 Thakurs, and
- 1 Khattri.

The reason why no Merh Rajput was selected was that the solitary candidate was not suitable.

4. **Chaudhri Sheoraj Singh :** Has the Government fixed any period after which selection for munsifship should take place regularly and the number of candidates that should be taken at each selection as is the case in the recruitment for deputy collectors?

Mr. C. L. Alexander : No. The Government stated that they had no objection to the Hon'ble High Court working on the old lists of selected candidates until all suitable candidates not debarred by the former age rule were absorbed.

RUNNING OF THE THROUGH TRAINS BETWEEN ALLAHABAD AND DEHRA DUN.

5. **Mr. H. David :** Is the Government aware that the Oudh and Rohilkhand Railway has at the very height of the season discontinued through connection between Allahabad and Dehra Dun for classes lower than the first and second and that the accommodation in these classes—there being only one bogie carriage for the through journey—is very inadequate?

Mr. A. C. Verrières : Yes. Since 1st March, 1925, Nos. 3 Up and 4 Down Express trains have been diverted to run between Moghalsarai and Dehra Dun *via* Fyzabad because these Expresses, when routed between Allahabad and Lucknow were run at a loss.

Intermediate class passengers are not restricted from travelling on the Punjab Mail between Partabgarh and Lhaksar when journeying from Allahabad to Dehra Dun. As regards third class passengers, it is regretted it is not possible to continue to carry such passengers on the Punjab Mails.

For the convenience of upper class passengers one composite (1st and 2nd class) bogie carriage is run through between Allahabad and Dera Dun, being conveyed by the Punjab Mail over the main line between Partabgarh and Lhaksar. When necessary the accommodation in the carriage is augmented by an additional 1st and 2nd class composite bogie being run through between Allahabad and Dehra Dun.

Somwati Amavas IN JUBILEE INTERMEDIATE COLLEGE, LUCKNOW.

6. **Pandit Brijnandan Prasad Misra** : Will the Government inquire why the Jubilee Intermediate College of Lucknow was not closed on the day of the late *Somawati Amavas* (23rd of February, 1925) which is a gazetted holiday, although the Hindu staff had made a representation also to the Principal ?

Kunwar Jagdish Prasad : The Principal, after consulting the head pandit of the college, came to the conclusion that as the *Amawas* was to last only for a few minutes on the morning of 23rd February, 1925, it was not necessary to close the college on that day.

HINDU SUB-DIVISIONAL OFFICER IN PILIBHIT.

7. **Pandit Brijnandan Prasad Misra** : Why has no Hindu deputy collector been put in charge of any sub-division in the district of Pilibhit ?

Mr. C. L. Alexander : Hindu deputy collectors have frequently held charge of sub-divisions in the Pilibhit district. For instance from October, 1913 to October, 1919, except for three months, the sub-divisional officer of the Pilibhit sub-division was a Hindu.

DISTRICT MAGISTRATE AND *Muharram* OCCURRENCES IN PILIBHIT.

8. **Pandit Brijnandan Prasad Misra** : Is it a fact that the local Hindus complained to the District Magistrate that their reports of the *Muharram* occurrences were not being registered by the police nor was any officer making any note of their complaints ?

If so,

- (a) What action did the District Magistrate take on their complaints ?
- (b) How many complaints were made by Hindus before the District Magistrate, what steps were taken thereon, and how were they finally disposed of ?

Mr. C. L. Alexander : The only complaint received was made by the honourable member himself, who went to the District Magistrate two days after the disturbance and stated that Hindus were afraid to go to the Kotwali and make reports, though, he added, it was quite likely that their fears might not be well founded. To remove any possible source of complaint the District Magistrate arranged to take himself on the following morning in the city any statements in connection with the disturbance that anyone, Hindu or Muhammadan, might wish to make. A total of 162 statements were taken in this way, all but a few being made by Hindus. Most of these contain trivial and non-cognizable complaints, but all those of any importance, cognizable or not, were investigated by the police under the District Magistrate's orders. In no single case could satisfactory evidence be obtained of the commission of a cognizable offence. The deponents were informed that, if they wished to proceed further, they must make formal complaints in court. None of them did so. Inquiries show that there was no truth in the allegation that Hindus' complaints were not being entertained by the police. Magis-
as Muhammadans, were constantly in the city
to such grievance was mentioned to them or to
olice.

9. **Pandit Brijnandan Prasad Misra** : Is it a fact that the Pilibhit Police did not release any Hindu on bail and kept them in *hawalat* ?

If so,

- (a) How long were they in police custody ?
- (b) What was the number of the undertrials ?
- (c) What is the area of the place where were they confined ?

Mr. C. L. Alexander : The Pilibhit police did not release any of the prisoners on bail because they were charged with non-bailable offences, and the state of the town made it inadvisable to release any of the arrested rioters.

(a) & (b) Twenty-seven prisoners arrived at the Kotwali at 6 p.m. on the 12th August. Of these, one was sent to hospital at 11 p.m. the same night, and 26 remained in police custody till 10 p.m. on the 13th. Six more prisoners were sent to the police *hawalat* between 4 and 5 a.m. on the 13th and remained there till 10 p.m. that night.

(c) The undertrial prisoners were confined in two rooms, one 18' x 12' x 19' and the other 16' x 6' x 19'. Both rooms are well ventilated, the doors and the two windows of each room being open to the fresh air except for bars.

SADABAD TAHSIL IN MUTTRA.

10. **Maulvi Muhammad Obaid-ur-Rahman Khan** : Is it a fact that the Collector of Muttra district suggested village Bisawar as the proper place to be made the head-quarters of the new tahsil of Mahabau-Sadabad ?

Mr. J. R. W. Bennett : The honourable member is referred to answer given to starred question No. 18 of today's date.

KABULIS AND PESHAWARIS.

11. **Dr. Shafa'at Ahmad Khan** : Has the attention of the Government been drawn to the number of Kabulis and Peshawaris who come from the Punjab and North-West Frontier Province into these provinces and lend money at exorbitant rates of interest ?

Mr. C. L. Alexander : The Government are aware that a number of so-called Kabulies come to this province to lend money and to sell cloth on credit.

12. **Dr. Shafa'at Ahmad Khan** : Are the Government aware that the borrowers are subjected to great sufferings by these Kabulis and the public in some places is mortally in fear of them ?

Mr. C. L. Alexander : It is a matter of common knowledge that these men not infrequently resort to intimidation in order to realize their dues.

13. **Dr. Shafa'at Ahmad Khan** : Will the Government be pleased to state the average rate of interest which these people charge ?

Mr. C. L. Alexander : One or two annas in the rupee per month is believed to be the common rate of interest.

14. **Dr. Shafa'at Ahmad Khan** : Will the Government be pleased to state why no restrictions are placed on these Kabuli *mahajans* ?

Mr. C. L. Alexander : No restrictions are possible or necessary. No one need deal with them unless he likes. If these persons resort to violence, the borrower can appeal to the criminal courts.

LALTA DEVI TEMPLE, NIMSAR, SITAPUR.

15. **Raja Jagannath Bakhsh Singh** : When was the management of the Lalta Devi temple, Nimsar, taken over by the Deputy Commissioner, Sitapur ?

Mr. C. L. Alexander : In 1897.

16. **Raja Jagannath Bakhsh Singh** : (a) Was the temple attached under section 145, Criminal Procedure Code ?

(b) If not under what law did he take over the management ?

(c) Is a copy of the order under which the management was taken over obtainable ? If so, will the Government please give the particulars of the case ?

Mr. C. L. Alexander : (a) Yes.

(b) Does not arise. The present arrangement is that the right to collect the offerings is sold annually to a *thekadar*, who must be a Hindu of high caste and arranges for *bhog* and *puja*, lighting, and the custody of the temple property.

(c) A copy of the order of attachment is laid on the table.

17. **Raja Jagannath Bakhsh Singh** : Who was managing the temple before its management was taken over by the Deputy Commissioner ?

Mr. C. L. Alexander : The offerings made at the temple were the perquisites of the Mali caste in Nimsar, and the Brahmans or Pandas of that place had been associated with the Malis by mutual agreement since 1866. These persons were responsible for the religious ceremonies, lighting, etc.

18. **Raja Jagannath Bakhsh Singh** : What are the properties (houses, shops, etc.) that are endowed for the temple ?

Mr. C. L. Alexander : The temple has no endowments.

19. **Raja Jagannath Bakhsh Singh** : What has been the annual income from offerings or *theka* of the offerings since the date the management has been taken over by the Deputy Commissioner ?

Mr. C. L. Alexander : The annual income from offerings since 1910 has been as follows :—

Year.				Income.
				Rs.
1910-11	...	...	...	6,122
1911-12	...	...	...	8,120
1912-13	...	...	...	8,284
1913-14	...	...	...	9,100
1914-15	..	...	...	9,200
1915-16	...	...	...	8,800
1916-17	...	...	...	6,000
1917-18	...	...	...	7,700
1918-19	...	...	...	8,000
1919-20	...	...	...	7,000
1920-21	...	...	...	9,700
1921-22	...	...	...	9,400
1922-23	...	...	...	8,500
1923-24	...	...	...	11,100

Figures for the previous years are not available.

20. **Raja Jagannath Bakhsh Singh** : (a) On what objects is this income spent ?

(b) Is any portion of this income given to the old managers or their legal representatives ?

(c) Do they render any services to the temple ?

(d) If not, under what right do they get a share of this income ?

Mr. C. L. Alexander : (a) After the necessary expenditure on repairs of the temple and the arrangements for the *mela*, the balance of the income is divided between the Malis and the Brahmans in accordance with a *khewat* which was settled in the course of a civil suit between the parties in 1908.

(b) Yes. The balance, as stated above, is given to them.

(c) They render no services in connection with the temple.

(d) Their rights to the balance rest on ancient custom, and were settled as between the parties in the civil suit of 1908.

21. **Raja Jagannath Bakhsh Singh** : Does the Government intend to move the proper authorities to frame a scheme of management, appoint trustees and hand over the temple to them ?

Mr. C. L. Alexander : The Government are not prepared to take any action.

TEMPLES IN SITAPUR MANAGED BY THE DEPUTY COMMISSIONER.

22. **Raja Jagannath Bakhsh Singh** : Is there any other temple in Sitapur which is managed by the Deputy Commissioner or any other Government officer ?

Mr. C. L. Alexander : No.

ELECTION OF FOUR REPRESENTATIVES OF THE NON-OFFICIAL MEMBERS OF THE LEGISLATIVE COUNCIL TO SERVE ON THE COURT OF THE ALLAHABAD UNIVERSITY.

Dr. Ganesh Prasad : I beg to propose that the following members of the Legislative Council be elected to serve on the Court of the Allahabad University :—

- (1) Babu Sangam Lal, M.A., LL.B.
- (2) Babu Mohan Lal Saksena, B. Sc.
- (3) Khan Bahadur Maulvi Fasih-ud-din, B.A., and
- (4) Hafiz Hidayat Husain, Barrister-at-law.

Pandit Nanak Chand : I second the proposal of Dr. Ganesh Prasad.

Rai Bahadur Thakur Hanuman Singh : I rise to propose—

- (1) Mr. Babu Lal,
- (2) Lala Mathura Prasad Mehrotra,
- (3) Khan Bahadur Maulvi Fasih-ud-din, and
- (4) Babu Sangam Lal.

Raja Jagannath Bakhsh Singh : I second the proposal of Rai Bahadur Thakur Hanuman Singh.

Rai Bahadur Babu Vikramajit Singh: Has the consent of Mr. Babu Lal been obtained?

Rai Bahadur Thakur Hanuman Singh: Chaudhri Sheoraj Singh told me that Mr. Babu Lal was willing to serve on the Court of the Allahabad University.

The Hon'ble the President: Has Chaudhri Sheoraj Singh obtained the consent of Mr. Babu Lal?

Chaudhri Sheoraj Singh: Yes.

The Hon'ble the President: The following six members have been suggested:—

- (1) Babu Sangam Lal,
- (2) Babu Mohan Lal Saksena.
- (3) Khan Bahadur Maulvi Fasih-ud-din.
- (4) Hafiz Hidayat Husain.
- (5) Mr. Babu Lal.
- (6) Lala Mathura Prasad Mehrotra.

Out of these six only four members are to be elected and their names will be announced after the voting papers have been examined.

THE U. P. MUNICIPALITIES (AMENDMENT) BILL.

Pandit Hargovind Pant: I beg to move for leave to introduce a Bill to amend to the United Provinces Municipalities Act, 1916. I do not think it is necessary for me to make any speech at this stage, as the Statement of Objects and Reasons has already been circulated to the honourable members of the House.

Leave to introduce the Bill was granted.

Pandit Hargovind Pant: With your permission, Sir, I beg to introduce the Bill.

The Hon'ble the President: The Bill is introduced.

THE DISTRICT BOARDS (AMENDMENT) BILL.

Chaudhri Badan Singh: I beg to move for leave to introduce a Bill to amend the United Provinces District Boards Act, 1922. I do not propose to make any speech as the Statement of Objects and Reasons has already been circulated to the honourable members.

Leave to introduce the Bill was granted.

Chaudhri Badan Singh: I beg to introduce the Bill.

The Hon'ble the President: The Bill is introduced.

RESOLUTION REGARDING THE REPORT OF THE MUDDIMAN COMMITTEE.

Dr. Shafa'at Ahmad Khan: I am sorry that I was not here when the mover was making the speech. When I came I found him referring to Poland and one or two other countries. The question before us may be divided into two parts; first the question of minorities and next the question of the future of the constitution of India.

I take the question of minorities first. It is a very complex question. In this province you find minorities with their own spiritual, political, and cultural traditions, and in the future rearrangement of the constitution of this country, the problem that presents itself to statesmen is how and to what extent the rights of the minorities are to be safeguarded. My opinion is that before any scheme for self-Government is actually embodied in the Statute the question of the minorities must be tackled, and tackled in a most reasonable spirit. I am sure I am voicing the sentiments of the Musalmans at least of this province when I say that this question of minorities is one of the most important questions so far as our demand for *swaraj* is concerned. As regards the details into which my friend Dr. Zia-ud-din entered, I do not think that this is a suitable place for the discussion of the details of these problems. The floor of the Council is not a proper place and this is not the proper occasion for the discussion of those problems. I content myself, so far as the Muslim community is concerned, with the statement—unambiguous, unqualified, and unconditional—that unless and until there is a proper safeguard for the Musalmans of the province, there can be absolutely no possibility of self-Government being given to India. But, Sir, though this is essential, I should not like this House to imagine that the minority question is a question that affects only the Musalmans in India. It is a question that has affected nearly every country that has had any history of its own, and all the countries in Europe, at any rate, have solved this problem in a reasonable and tolerant spirit. I am certain that if we observe the same reasonable attitude, we will achieve the goal for which we have been longing. The other point I should like to mention is that our insistence on the safeguarding of the interests of the minorities must not be regarded as tantamount to dependence on the Government. Somehow the impression of the public is that the Muslim community, especially at the present time, is bound to the chariot wheels of the Government. I most emphatically repudiate this allegation. I submit that while we do desire that the interests of our community be safeguarded, we never desire that the future of this community be bound up with the future of the Government. We want only to be part and parcel of the Indian nation. We do not wish to remain aloof, nor do we desire that our future should be decided by the whim and fancy of every Government. That is the second corollary, which I would like to press home to the Council.

The third point is that, while we emphatically demand the maintenance of our interests, we do not wish it to be understood that there is any slackening on our part in our demand for *swaraj*. Further, let it not be understood that because the Muslim community and other minorities demand the preservation of their rights, that should in itself furnish a convenient pretext, a specious excuse for delay in the grant of *swaraj*. Let not people who are hostile to our national aspirations imagine that because the Muslims are desirous of having their interest safeguarded, therefore there is no possibility of *swaraj* being attained in the near future. Every section of Indian public opinion, be it Hindu or Musalman, Christian or Parsee, insists that the question of constitutional advance must not be mixed up with the domestic question, or shall I say the parochial question, of the relations of the various communities to each other, I should like therefore to submit with all the vigour at my

[Dr. Shafa'at Ahmad Khan.]

command that the question of *swaraj* ought not to be mixed up with the domestic question as affecting the Hindus and Muhammadans and other communities.

I come next to the recommendations of the majority report. When I entered the Council, I did so in a spirit of trust and of confidence. I confess that I expected more, but that everybody did, who entered this Council at that time. I will go further back. Even in 1921 all the members of the last Council entered in a spirit of hope, of belief in the future of our provinces and belief in the future of our country. We thought, Sir, that this instrument—the Council—that had been created could be used for the economic, the political and the social advancement of our country. We thought, Sir, that some powers at least would be exercised by us which would lead to some difference at least between the pre-reform days and the days that came immediately after the passing of the Act. But the men of the last Council, men who sat in that Council from 1921-23, were disappointed and, I must say, that I also am disappointed. From 1924 I have been following the course of events, but I see no sign, no traces of any development in any departments. I find nothing but apathy in some of the departments. The majority report says that the Act was not worked in a reasonable spirit. That I believe is utterly unfounded. There is absolutely no ground for the supposition that men of moderate views, men of sensible views, men who had practical experience of affairs and who came to the Council in 1921 were dominated by the idea, were obsessed by the conception of wrecking the Council. They went there only to make the new Council a success. But what did they find? Instead of their desires being gratified, instead of their wishes being carried out, they found that the transferred and reserved departments were pitted one against another and the whole machinery was brought virtually to a standstill. What is the main cause of the failure in my opinion of the dyarchy? No amount of reasonable spirit that could be shown by anybody of people has ever been a substitute for a good constitution. Unless and until the constitution itself is essentially sound, no amount of compromises no amount of that vice of the middle-aged, the love of compromise, will ever make this dyarchical constitution a success. No, Sir, the defects of the constitution are inherent in the Act. The next point is that the position of ministers has not been one of real responsibility. The Ministers as we know, if not from the report of the Ministers of this province at least from the report of the Ministers of other provinces, have not been given that power which they must possess, if they are to carry out the wishes of the elected members of this Council. They have been deprived in various ways. I need not go into details. Suffice it to say that their hands are completely tied owing to the lack of any control over finance. The practice of effective joint deliberation between the two halves of the Government has not been followed in some of the provinces. Madras is, I know, an exception. The practice of joint responsibility has not been followed in any province consistently. That, Sir, is in my opinion the second important defect.

In the third place almost everywhere the Ministers have been dealt with individually by the Government and not on the footing of collective

responsibility. Now this is an elementary constitutional rule of great importance yet it is surprising to note that attempts have been made in defence of this practice. This would mean in other words, that the Ministers are mere servants, and they are appointed at the will and fancy of the particular Governor of the province. I want it to be made absolutely clear that this is not and has never been the constitutional practice in any country. If you want constitutional Government to succeed, you must have collective responsibility, and must have Ministers who stand or fall collectively who come to office and go out of office together. It is not and has never been the practice of any country that I know of for one Minister to stick to office and allow the other Minister to be turned out.

Again the question of finance, is in my opinion, the determining factor in the movement for the constitutional advance. Unless and until you have got money, unless and until you have proper distribution of the finances, you cannot run any transferred department with success. If you find yourselves shackled in, if you find yourselves prevented from carrying out the policy through lack of the necessary finances, I think it is a mockery to entrust any Minister with a department which requires expenditure of a large amount. So, that, Sir, is in my opinion the crux of the whole problem. The Meston settlement must be scrapped before we can make this system a success. Lastly, the control of the Finance department must be restricted. There is only one Finance Member that I know of in India, viz., the Hon'ble Mr. Sinha, in Bihar and Orissa, whose appointment has been a very great success, but you will be astonished to hear that in no other province can you find a single Indian who is capable of filling the important post of Finance Member.

Some honourable members :—" Not capable in the opinion of the Government."

Dr. Shafa'at Ahmad Khan : In the opinion of the Government, who is capable of filling the post of the Finance Member. Unless and until this invidious distinction, based, I believe, on race, is abolished, we cannot expect anything progressive in any transferred department.

These, Sir, are my chief objections to the system existing at the present time. I am convinced that provincial autonomy is essential, I am convinced that unless we abolish the distinction between the transferred and the reserved departments, we cannot succeed.

I must say that, as at present constituted, this Council is in my opinion merely a mock parliament, a baby parliament, a parliament without powers, privileges or prestige.

Hafiz Hidayat Husain : As one who believes in constitutional advance to ensure satisfactory operation of democratic principles consistent with safety and the continuance of India within the British Commonwealth and as one who also believes that to wait till 1929 when Royal Commission has reported would be disastrous to the best interests of India I began the study of the report of Muddiman Committee.

Pandit Nanak Chand : The honourable member is not audible on this side of the House.

Hafiz Hidayat Husain : In that spirit I read the report, and I confess that I was thoroughly disappointed. The report to my mind is wholly unsatisfactory and wholly retrograde: it takes no account whatsoever of the sentiments and of the wishes of the people of India. Now, Sir, the report, as it is before me, shows, if anything, that the British Government still thinks that the Indian people are not fit to govern themselves. It appeared on reading the report and also the evidence on which this report should have been based that it was based on a *priori* reasoning which took no account of the materials that were before the members of the committee. On the contrary they gave their own impressions and with impressions alone they concluded. Therefore, I say, that putting side by side the two reports, viz., that of the majority and that of the minority, the report of the minority represents the wishes, the feelings and the aspirations of the majority of the people of India and the report of the majority represents if it does only a very narrow minority of the people of India. These, Sir, were the impressions that were created in my mind when I read the report, cursorily though I confess, and also the evidence that was before the committee. Now let me say at once where in my opinion this report is faulty. It takes no account of the unsatisfactory nature of the dyarchical system. It has given no data which would lead any thinking Indian to even plausibly conclude that if the prolongation of this period was decided upon this system that has been in vogue for the last four years now could work even with a moderate amount of success or satisfaction. On the contrary the inherent evidence in the report is that it would be disastrous if the present system were allowed to continue for even another day. The report takes no account of the fact that the Ministers have practically no control over the members of the Imperial Services working under them and who should be considered as the subordinates of the Ministers. The report takes no account of the fact that the responsibility of the Ministers is not to the Council, but to the Governor. Then, Sir, the financial allotment between the two halves of the Government presents another grave difficulty, as the House is not given any authority in this connection. Indeed, Sir, evidence is forthcoming that there have been no few instances of conflict between the reserved and transferred departments, and this is inevitable considering the position in which the Ministers find themselves in their relations with the Finance department. Then again, Sir, dyarchy gives no power to the legislature over the executive, that is to say, the supremacy of law of which we should be so jealous has been given the go-bye in the system. The educative value of this system too has been nothing so far. Therefore, I can only say that the report takes absolutely no account of the drawbacks with which the dyarchical system is beset; on the contrary it goes on to say that it has not been given a sufficient trial and the trial should be prolonged till 1929 when another Royal Commission should examine the system. The prolongation of this trial to my mind means the breakdown of British statesmanship. Now, Sir, the report also takes no account of two essential conditions which are requisite for the smooth working of any popular form of Government in this country. We are very grateful indeed to the two present Hon'ble Ministers the Nawab Sahib of Chhatari and Rai Rajeshwar Bali and also the Hon'ble Raja of Mahmudabad for ventilating the real wishes of the people of the province, the real wishes of this legislature, when they stated in their statement what that particular form of popular Government was. They stated that,

nothing short of autonomy will satisfy people of these provinces. We are very grateful to them for speaking so openly their minds in the face of the opinion of the Governor and of the Finance Member's statement. They have got our whole-hearted support in the statement they made. I submitted to you before that this report takes no account of at least two conditions which are essential for the proper working of any popular form of Government. One is the reformation of the Central Government. We all know, that the Governor General is the autocrat of the system. The Government of India is carried on by an Executive Council presided over by the Governor-General who has got very large powers of certification, powers of vetoing even his own Cabinet. Therefore, every system of Government is bound to fail unless and until the central legislature itself is reformed—unless the responsibility of the executive to the legislature is thoroughly recognized. The other point—and to this my learned friend the previous speaker has adverted—is the safeguard of minorities. I do think that in any reformed constitution that may come this should be *sine qua non*. My own conviction is that in a country like India, inhabited as it is by diverse people, of conflicting interests, of antagonistic ideas, there is bound to be some sort of difference, but is that a reason, are these domestic conflicts and clashes of clans any reason for withholding the reform to which we, the people of India, are entitled and on which we have set our hearts? The Government will be perfectly wrong in thinking that the Muhammadan, although he wishes for safeguards of his interest, is content to sit idle on stiles. And I say with all the emphasis at my command that any Muhammadan who may say this is false to his religion and false to his country. I have the support of the entire intelligent Muslim community in saying that, whatever safeguards we desire, and they are not inconsistent with ideas of democracy, we are at one with the other communities of India in our insistence that reforms in the constitution must come and must come immediately. These are the drawbacks to which the majority report has not in any satisfactory manner addressed itself. On the question of protection of the interests of the minorities the Hon'ble Ministers have voiced the feelings of the Muslim community when they say that in order to safeguard the interests of that community it is absolutely essential that at least for the present, till the atmosphere is clear, the representatives on the Councils of that minority community shall be sent by the members of that community. Viewed in this light, I think that the opinion of the Hon'ble the Home Member of reservation of seats in a joint electorate is altogether meaningless in the present state of the country. I do not want to take up the time of the Council with an elaboration of the services and the electorates, but one point to my mind is certain, these services can no longer wait for complete Indianization and whatever powers may further be given to electorates I think at least for the members of the Council and for members of the Assembly there ought to be some minimum qualification of literacy with which they should be equipped. Sir, I will not go further into details. I only say this much. The time has gone when political conjuring with words has any meaning. They have got no meaning left now. The entire India is now at one for the demand for further constitutional reforms. And I suggest, Sir, that the Government will no longer delay the appointment of a Commission, with powers to it to draw out an improved form of constitution.

The Hon'ble the President : I would ask the honourable member to resume his seat for a few minutes,

[His Excellency the Governor.]

At this stage His Excellency the Governor (Sir William Marris) arrived and addressed the Council :

His Excellency the Governor : Mr. President and gentlemen of the Legislative Council of the United Provinces of Agra and Oudh.

I have come here to congratulate you all upon the termination of another toilsome session; to thank you for the public work which you have accomplished; and to wish you god-speed until you reassemble. Your work in this chamber is done under adverse conditions of climate, acoustics, and ventilation. Meanwhile, I watch with interest your future and more dignified habitation arising day by day. I have indeed been engaged this morning in inspecting the progress of the works, and I hope that if I am still here two years hence I may have the great satisfaction of installing you formally in the new chamber.

I am grateful to the Legislative Council for reposing such confidence in my Government, Members and Ministers, as to furnish them with the financial resources necessary to conduct the administration during the current year. It is matter of great satisfaction, to us, as to you, that a portion at least of the heavy burden which has hitherto lain upon the province in the form of the financial contribution to the Government of India has at last been taken away.

In addition to the important financial work of the session, the Council has passed one measure of much moment, the Oudh Courts Bill. I am very pleased to think that a project which has been so near the hearts of the people of this part of the province for a long time has come to completion; and I heartily congratulate my honourable colleague, the Raja Sahib of Mahmudabad (who is unfortunately indisposed today) on seeing his hopes fulfilled during his fifth year of office.

The fact that another notable figure is also not in his seat today, but indeed already some hundreds of miles off on his way to England for a well-earned rest, makes it easier for me to bear testimony to his invaluable services than if he were here. I am sure there is no member of this Council who has not admired the consummate skill, the unfailing tact and good temper, with which the Hon'ble Mr. O'Donnell has discharged the heavy duties falling upon him in this legislature.

This is probably the last occasion on which I shall find myself occupying this dais in juxtaposition to your present President. After today he will, I understand, appear before you only to make his parting bow, and to induct his successor. That will be the occasion for the Council itself to signify its own appreciation of his work. But, speaking on behalf of the Government, I am anxious to make our acknowledgments now. It is not too much to say that if during the past four years the Legislative Council of the United Provinces has won a high place among the provincial legislatures of India for dignity, sobriety and business-like methods (as indeed I am confident that it has) the credit therefor is in a large measure due to the Hon'ble Mr. Keane. He has guided your proceedings not merely with impartiality (for that quality is too fundamental to call for special praise), but with great skill and understanding; also he has known how to maintain authority without ever failing in patience or perception. Many members of the Council may momentarily have endured correction at his hands; but I am sure that none of them have

felt aggrieved at it. In this complex constitution under which we live, Government and legislature are required, within certain definite limits, to work together for the good of the people of the province. Those limits have not yet been breached in the United Provinces, they have, I believe, not even chafed too grievously either of the co-operating parties. Among the various factors which have contributed to that fortunate result, I give a high place to the quiet, tactful, unremitting efforts of your President during the past four years, to promote the dignity and to develop the parliamentary aptitude of this legislature; and in the name of the Government I tender him my warmest thanks and congratulations. And, gentlemen, when the time comes for you to elect Mr. Keane's successor, I beg you to bear in mind the gravity of the matter, regardless of party or personal preferences, to select for the high office of occupying the President's chair the man who in your conviction is most capable of sustaining and developing the traditions of order, reason and courtesy which the Hon'ble Mr. Keane has so successfully inaugurated here.

I will conclude even as I did last year. May this new financial year be one of continued peace and prosperity to this province which we all serve. Now, gentlemen, on behalf of Government I thank you for your public labours and I declare that this Council is prorogued with effect from the close of today's session until such a date as will in due course be announced.

RESOLUTION.

After His Excellency's departure the speaker, **Hafiz Hidayat Husain**, continued :

I would only say finally that the Government should not be actuated by an ostrich policy. At this stage let it not be influenced by reactionaries like the "Times" of London which is never tired of repeating old shibboleths. That kind of ostrich policy will be a crime, I submit, a crime against civilization and will deal a blow to imperial unity. The insistence upon working a defective machinery for another five years will throw doubt and suspicion upon the intention of England. The delay will not only be unjust, but impolitic.

The Hon'ble the President : Before I call on any other honourable member I may refer to the amendments on the paper. The earlier amendments are in the name of Mr. Mehrotra. I am inclined to think that these two amendments are unnecessary and need not be moved. As regards the first, we are dealing with the majority report. Every one knows that it is the majority report; that is quite clear. The second one "and deterrent to the speedy realization of provincial autonomy" is an argument. The third one is in the name of Mr. Mukandi Lal. That is also of the same species, expressing dissatisfaction, and it can be dealt with in the course of argument. We then come to amendments 3 and 4 in the names of Mr. Paliwal and Mr. Saksena. These two are much the same. I think Mr. Saksena's amendment may well be said to come within the scope of this resolution that "immediate steps should be taken to revise the constitution in conformity with the wishes of the people". It is perhaps rather more of criticism of the terms of reference than of the actual report of the Muddiman Committee. That ought to be the first amendment we should take up. This does not

prevent honourable members from speaking on the motion. I will suggest that the first amendment that we should take up is Mr. Saksena's, No. 4.

Mr. Mukandi Lal : We are not disappointed with the report because we have not raised great hopes about the results of the Muddiman Committee. As a matter of fact, I feel sincerely delighted at the result of the Muddiman Committee, because it justified the attitude that we took from the year 1917 towards the reforms scheme, the attitude we took when the Act was promulgated, and also because it justifies the action of our leaders in the Assembly. I feel a sort of gratification that, though these seven or eight years have passed, still I find myself today standing exactly on the same place, so far as the criticisms of the reforms go, as I was in 1917 when the reforms were on the anvil in England. I hold today the same opinion which I did in 1917 and which I expressed in British press in my articles "India on the Anvil." We are not surprised at the action of the various publicists when they said that the conclusion was foregone. But what we desire to do this forenoon in this House is to express what we think of the Reforms Committee, where it has failed, what reactionary recommendations it has made and whether it has justified its existence after having spent a sum of Rs. 46,000 of Indian tax-payers' money. Our leaders in the Assembly asked for bread and got a stone and that stone we are hurling back on the Government today. We find the Government fortified by Regulations, Acts, and Proclamations and the stone we fling at them will not hurt the Government a bit. Sir, we may cry ourselves hoarse here, but as far as the Government of India are concerned, it will not affect them; but let us hope that the public in England will rise to the occasion and will take into consideration the views that we express through our legislatures today. I would not take up the time by propounding my own views of the scheme, but I would only take step by step the various recommendations of the Reforms Committee and how they affect us.

First is the vexed question of dyarchy. I am glad that among the critics of dyarchy are to be found those people who had entered this spider's parlour with a view to work out the destiny of India through the Indian legislature. They came forward to denounce dyarchy. Amongst them are such distinguished Ministers—whether we may agree with them or not—men like Mr. Chintamani, of whom any country would well be proud to have as a Minister, men like Sir P. C. Mitter, the Raja Sahib of Mahmudabad and Mr. Kelkar, and Sir Chimanlal Setalwad. If we go through the pages of this report, what do we find? Every Indian witness, whether he was a Liberal or whether he was a Moderate—mind, no Swarajist or Extremist appeared before the Committee—has condemned the Government of India Act, and they have unanimously said that the time has come when the Reforms Scheme should be revised and the Government of India Act should be revised.

Dyarchy is condemned and should be buried deep so that we may not see this two-headed demon any more in our legislature. Now the non-official members—all the Indian members—have given their verdict against dyarchy, against the power of certification and various other unconstitutional powers that are under the present constitution provided by the Act; but what do we find? The Reforms Committee has set aside the opinion of the non-official witnesses and Indian ex-Ministers and Ministers and has taken into consideration only the opinion of the Governors. True, their opinions are to be respected, they may be respected by

those to whom they appeal, but to us they do not appeal; to us the opinion of those people appeal who feel where the shoe pinches. It has been said that this is not the time to examine the working of the reforms, we have had only three years to examine it. But, Sir, the same arguments that are advanced today after five years can be advanced after ten years. I can make bold to say that the same argument can be advanced after fifty years. Do you mean to say that within 5 or 10 years you can make such a perceptible change in a constitution that it can be measured by the inch, or foot or weights in the scale? It is the will of the people we have to look to. What do the Indian people say? They have unanimously said that dyarchy is condemned and should not be revived any more. But what do we find in the report of the Reforms Inquiry Committee? Not only that they want to give a new lease to dyarchy, but they say that they would recommend the transferring of a few more subjects, in Assam, Fisheries and Excise, and in some other provinces Forests. But what is the recommendation there? There also it leaves it to the discretion of the Governor whether forests should be transferred or not, and we know very well what opinions various Governors hold as regards the transferring of more subjects. So we should not be surprised if even this recommendation of the Reforms Inquiry Committee is not adopted by Governors.

Now I will take first of all the recommendation of the Reforms Inquiry Committee about dyarchy, but before I proceed to give you my own opinion about dyarchy I would even refer to the opinion of the Raja Sahib of Mahmudabad, who said that dyarchy should go and Government in future should consist of Ministers only. If you refer to the opinion that was expressed by Mr. Chintamani about dyarchy, he also in unequivocal terms condemns dyarchy outright. What do we find in the recommendations of the committee, in spite of the opinion that was given by Mr. Chintamani who said:—"I have no hesitation in saying that a system with such features stands self-condemned, and needs radically to be altered without avoidable delay." Then, Sir, this is what the Committee says:—"It was intended that dyarchy should be worked as dyarchy and not as a unitary Government." Then they go on to suggest that the Ministers might be consulted, but they do not make it obligatory that they should be usually consulted and that their opinion should count. There must be joint sittings of both halves of the Government. So far as the reserved half is concerned, I would suggest that when the Government is considering the questions appertaining to the reserved half Ministers must be present and at least, the opinion of the majority should be taken into consideration, if it were not to prevail. But let alone the reserved half. What do we find in the transferred half? There we would have liked that the Governor should abide by the opinion expressed by his Ministers, but in spite of the recommendations of the Joint Committee, which make it practically obligatory on the Governor to listen to the opinion of the Ministers, the Report does not make it obligatory. The Joint Committee expressly said:—"The habit should be carefully fostered of joint deliberation between the members of the Executive Council and the Ministers, sitting under the Chairmanship of the Governor." Then they go on to say that "it will also be for him to help with sympathy and courage the popular side of his Government in their new responsibilities," and, finally, they urge that "if, after hearing all the arguments, Ministers should decide not to adopt his advice, then

[Mr. Mukandi Lal]

in the opinion of the Committee, the Governor should ordinarily allow Ministers to have their way, fixing the responsibility upon them, even if it may subsequently be necessary for him to veto any particular piece of legislation. It is possible that in India, as in all other countries, mistakes will be made by Ministers acting with the approval of a majority of the Legislative Council, but there is no way of learning except through experience and by the realization of responsibility." Here, in this case I would have at least thought that the Committee would say that the Governor will usually abide by the opinion expressed by his Ministers and if he disagreed he could have given to the Ministers the power of appealing to the country and to request the Governor to dissolve the Legislature and go to the country and if the same Legislature returns after the new elections, then it would be open to the Governor whether to accept their opinion or rather to resign himself and ask the Secretary of State to send another Governor. That would have been a constitutional measure. But what do we find here? Here also the Committee do not make any such recommendation.

There is another point very vital to the working of dyarchy, whether the opinion of the Ministers should prevail or is it the opinion of the Secretaries and Heads of the departments that belong to the transferred half? There also the recommendation of the Muddiman Committee comes to this finding: that they hold that the Secretaries should have the right to approach the Governor and go to him directly, but they propose a modification—that is to say the Secretaries might be able to or may inform the Ministers as to when they differed with them. I say this would be adding insult to injury. That is to say, you give the power to the Secretaries of telling the Ministers "We do not agree with you and we will go over your heads to the Governor." Is that the way to work dyarchy?

There is another point connected with dyarchy. The Act provides that in case there is a vacancy of Ministers then the Governor may take over the transferred subjects. Now in the light of the experience of the Bengal Government, there is suggested by the Committee that the word "shall" may be substituted for the word "may"; that is to say the Governor has this power of taking over the transferred subjects, that whenever there is a vacancy of Ministers he can keep the transferred subjects in his charge and go on working dyarchy. That is a nice way of working dyarchy—a monarchy with a vengeance.

Then, Sir, there is another point. Suppose for argument's sake for the moment, we are prepared to work dyarchy. At present at least we can pass a vote of no confidence on the Ministers or if they ask us to vote for their salary we can criticize them, reduce their salary. But what is the recommendation of the Muddiman Committee? The report says that hereafter the salary of the Ministers should be practically non-votable. That is to say, they suggest that the rules be so amended that in no case the salary of the Ministers may be less than three-fifths of that of the Executive Councillors or more than that of the Executive Councillors. Is that not going a step backward? Can you say that is going forward? No; it is going backwards by miles. This has been experienced in Bengal and it has been generally known that it is a step backward.

It seems the Bengal Government have been very prolific in their unfortunate experience. It was the High Court of Calcutta that gave its verdict as to the allowing or disallowing of a motion by the President. Here the Muddiman Committee has come to the help of Lord Lytton and says that the High Court will have no jurisdiction to give their verdict as to whether the President was right in disallowing a motion or not. This is also going a step backward.

Then, Sir, there is another thing and this also I am stating from the experience of Bengal. It is based on their experience, and the committee recommend that when a motion for omission of demand is lost and when the same demand is put to the vote that motion also is lost as a whole. Then "motions may be moved at this stage to reduce any grant or to omit or reduce any item in the grant."

Now, take the Fundamental Rules of the Legislature. They want to take away some of our valuable rights. So far as our rights are concerned, at present it is open to us, by giving five minutes' notice and asking for the adjournment of the House, to move a vote of no-confidence on Ministers. But if the recommendations of the Committee are accepted, there will be no chance of this in future and a vote of no confidence cannot be moved against Ministers unless ten days' notice is given. That is the limit the Muddiman report proposes. Not only that. The present rules provide that if anyone wants to move the adjournment of the House, it is necessary for twenty members to come forward to support the motion. The Muddiman report suggests that hereafter if any member wants to move a vote of no-confidence, one third of the legislature ought to come forward to support the individual who wants to move it. Is it possible that so many members will be prepared to support an unpopular motion of this kind? I think the honourable members and the Ministers will admit this statement that at present the Ministers command confidence and support from their personal friends and not as members of a party which stands for any fundamental principle and policy. In such a state of affairs it is impossible to obtain the support of one-third number of the House for a motion of no-confidence.

I will be very brief as regards criticism of other recommendations. I will cite one more case. This Muddiman report has again suggested that there should be a new law, or at least a new rule, to stop corruption within the Council or to stop intimidation. I am perfectly in agreement with the Muddiman report that there should be no corruption or intimidation in winning votes. But may I ask whether the term "corruption" would include the offering of titles or nominating men on committees or of making Ministers?

Now, I will briefly refer to an important question that was raised by the first speaker this morning—that is the Hindu-Muslim question—and that has been referred to in the report also. In this respect I would only say that, as the report says, referring to some Governor's opinion, that so much difference between the Hindus and Muslims did not exist twenty-five years ago. Who is to blame for that? I think Government is to blame for that? In the Native States of India, for instance, Baroda, Hyderabad, Bhopal, and Kashmir, Hindus and Muslims do live amicably. So far as we the Indians are concerned, I will refer to the opinion of Nawab Muhammad Yusuf, who presided over the Bengal Muslim Conference. He said:—"The Hindu and Muslim interests in India are by no means hostile to each other. Are we not all children of the same soil?"

[Mr. Mukandi Lal.]

Why ignore the common element and emphasize different elements?" Besides, I think the strength of India lies in its differences, and in this respect I will quote the opinion of a great French writer, Madame Follet, who says that every difference that is swept up into a bigger conception enriches society and every difference that is ignored feeds on a society and eventually corrupts the society."

Now, Sir, I will urge that our cry for reforms is not a new cry. It is a cry that was raised over a century ago in the House of Commons by two great whips, Burke and Fox. It is a cry that was raised by John Bright in the House of Commons and followed by Lord Morley and Mr. Montagu, and it has been again repeated by men like Lord Olivier. Only yesterday, Sir, you might have seen the opinion of Lord Olivier on the Indian nationalist movement. . .

The Hon'ble the President : The honourable member must conclude his speech.

Mr. Mukandi Lal : Only one minute, Sir, and I will just say that our demand is not unnatural. It is a natural demand and it is due to the progress that we have made so far. In conclusion, I will simply refer to Lord Bryce. What he says about imperfection of peoples? He tells us in his "Modern Democracy" :—

"Among modern conditions and under the stimulus of ideas proceeding from the more advanced peoples, intellectual development proceeds faster than ever before. The influence playing on the mind and habits even of a backward race are now unceasing and pervasive. There is more moving to and fro, more curiosity, more thinking and reading. Changes which it would have needed a century to effect may now come in three or four decades. Superstitions and all else that is rooted in religion hold out longest; but the habits of deference and obedience to earthly powers can crumble fast, and as they crumble self-reliance grows. Thus the capacity for self-government may be in our time more quickly acquired than experience in the past would give ground for expecting.

"Moreover—and this is the practically decisive fact—there is a logic of events. In India or Egypt or the Philippines, for instance, when a Government has, directly or implicitly, raised expectations and awakened impatience, misgivings as to the fitness to receive a gift may have to yield to the demand for it. There are countries in which, seeing that the breakup of a system of government and an old set of beliefs threatens the approach of chaos, an effort must be made to find some institutions, however, crude, which will hold society together. There are moments when it is safer to go forward than to stand still, wiser to confer institutions even if they are liable to be misused than to foment discontent by withholding them."

You are standing on a precipice. A time will come when you might forcibly be ejected, not by the forces inside India but by forces outside India which dictated the Reforms to you. Therefore take lesson from this debate and mend your ways in time.

Rai Sahib Lala Jagdish Prasad : The report of the Muddiman Committee reminds one of the proverbial mountain in labour producing a mouse. That the report of the Committee would be of a retrograde nature and the recommendations unsatisfactory was a foregone conclusion. If we recall to our minds the circumstances under which it was

foisted on the country we can easily understand that the report could not be otherwise. One need not feel surprised at the result, as the terms of reference to the Committee were so restricted as not to suit the legitimate aspirations of the people. The Liberals, Sir, were in favour of a Royal Commission, for a thorough overhauling of the Reforms, while the Swarajists wanted a round table conference; but the Government of India surprised both by appointing the Muddiman Committee whose terms of reference were so narrow.

I will quote one or two statements from the report with a view to show how unsatisfactory the recommendations are. The moderate popular demand was for complete provincial autonomy, responsibility in the Central Government, and the relaxation of the control of Whitehall—I mean the Secretary of State—over the official Governments in India in cases affecting purely Indian interests without further delay. In regard to provincial autonomy and responsibility in the Central Government the majority committee is on the whole opposed to the popular demand. I quote here one or two sentences from which it will be clear how the majority signatories, to whom provincial autonomy is a mere catchword, seek to postpone the grant of provincial autonomy. They say—

“Before any system of provincial autonomy could be introduced into India the question of the definition of the fields of taxation and legislation would require much closer examination, and the extent to which it would be necessary for the Central Government to employ its own agents for the administration of its own subjects would become of the greatest importance.

“Similarly, much more definite provision would be required to provide for the enforcement of the authority of the Central Government over the provincial Governments and the citizens subject to its central laws.

“These are factors which we think merit consideration before it is assumed that provincial autonomy is in the main a question of political advance which is severable from administrative considerations.”

Then, Sir, perhaps the most surprising statement in the report is that the majority signatories hold the view that dyarchy in India has not failed. This is what they say in this connection :

“The existing constitution is working in most provinces, and it is giving a training in parliamentary government to the electorate and also to the members of the Legislatures and to Indian Ministers. While the period during which the present constitution has been in force has been too short to enable a well-founded opinion as to its success to be formed, the evidence before us is far from convincing us that it has failed.”

Dyarchy, Sir, has been condemned by people of all shades of opinion and has failed in actual working. Sir Courtenay Ilbert who wrote his lectures on the new constitution of India from the point of view of those who framed the constitution says of dyarchy thus—

“To controversialists the term ‘dyarchy’ has done yeoman’s service as a ‘bogey.’ In time, people will probably realize that the scheme so devised is only one of the many devices which have been tried in England and elsewhere for keeping the executive Government in touch with an elected Legislature. None of these devices has proved quite satisfactory. All of them have been uncertain in their operation. It may well be that this particular device will operate in a fashion different from and simpler than that anticipated by the Joint Committee”

[Rai Sahib Lala Jagdish Prasad.]

The Right Hon'ble Lord Meston, in his lectures presenting the picture of the new constitution as it actually works in India, says thus :—

“We come now to the working of the dual provincial Government, or Dyarchy. In my last lecture we left it between the horns of a dilemma. On the one hand, we were agreed that inexperienced men cannot learn the art of administration without being given, albeit in a limited sphere, the opportunity of actually practising it. On the other hand, we were decidedly disquieted by the argument that administration is a seamless garment which cannot be parted in twain without destroying it. How can one half of a provincial Government be amenable only to the people of the province, as represented by the local Legislature, while the other half is amenable only to the British Parliament, as represented by the Secretary of State? How can the ideals which the official executive will continue to pursue in the reserved departments....

The Hon'ble the President : Will the honourable member give his own opinion? These opinions of others have all been published, and honourable members can read them for themselves.

Rai Sahib Lala Jagdish Prasad : I will not take any more time of the Council by dwelling at length on the noteworthy achievements of the Muddiman Committee. Suffice it to say, the report will be remembered as a memorable document embodying recommendations highly unsatisfactory and calculated to water down the people's aspirations. I am of opinion that the new constitution requires complete overhauling, and no amount of patchwork or oiling and screwing of the machinery here and there would satisfy the legitimate aspirations of the people. I share the public opinion that something should be done to place the reform on a satisfactory footing, and I would therefore request the Government to convey to the Government of India the considered opinion of this Council that the Muddiman Committee's report and recommendations are highly unsatisfactory. With these words I support the resolution.

Khan Bahadur Maulvi Fasih-ud-din : We are all very thankful to the honourable member for the Allahabad University for giving us an opportunity to discuss the report of the Muddiman Committee, which is undoubtedly engaging the attention of all those who are interested in the political regeneration of India. At the outset I may remark that I give most unqualified and unstinted support to the resolution which is under discussion, for the simple reason that in my opinion the Muddiman committee has not come up to the expectation of even the average of the Reforms, not to speak of the political enthusiasts. It has not been able to grapple with this question from the point of view of broadmindedness, political foresight, and statesman-like sagacity.

I will, however, in this short speech briefly deal with the salient points connected with the constitution of the Council, its *modus operandi* the dyarchy and minority representation. I am sure that the Muddiman Committee committed a very great mistake in not recommending that the life of the Council should be increased from three to five years. The period that elapses between the first budget and the second budget is only a period of training for the members of the Council and after that period is over a member has to think of the coming elections which disturb his mind like a bugbear and which hang over his head

like the sword of Damocles. Even the Ministers have not sufficient time to launch schemes of a far-reaching character, not to speak of their ability to see them through. I join issue with the honourable mover of this resolution that the franchise should be widened. My friend Dr. Zia-ud-din related a story out of the many stories yesterday and I wish to relate two experiences of mine. During the electioneering campaign when I was proceeding from village to village I came across some people who told me that because the other candidate had reached the village first and because he was riding an elephant they were inclined to support him in spite of my assurances that these matters were not at all connected with the work of the Council. At another place I found people saying that they were shown a sort of order from the "Lat Sahib" that a particular man should be elected. Under these circumstances I am sure that the widening of the franchise will only have a demoralizing effect. At the same time I must submit that, although I am in favour of the retention of the official block in the Council at least for so long as the second chamber is not established, I am certainly in favour of curtailing the size of constituencies. My own experience is that several Hindu constituencies and nearly all the Muslim constituencies are unwieldy and if their size is diminished, then the natural result will be that we will have the desired object of increasing the number of elected members in the Council. Besides, the expenditure on election will be minimized, and there will be more chances for the really deserving candidate to enter the doors of the Council. This brings me to the question of the qualifications of members. My friend Hafiz Hidayat Hasain has just stated that there must be some sort of educational qualifications for the membership of the Council. I quite agree with him on this point. Educational qualifications have been laid down for all grades of services and even for the post of the *kanungo* the competitive examination system has been introduced. It is, therefore, a matter of the utmost importance that some sort of qualifications should be laid down for the membership of the Council which has to legislate and which has to decide administrative questions of vital importance. I think that the Committee also erred in not paying any heed to the resolution of this Council for conferring two more seats upon the landlords of the Agra province, although the Committee has agreed that a special constituency for the landlords should be preserved. We are very thankful to Mr. Chintamani who is the liberal of the liberals for giving as his definite opinion that the landlords in India in general and in these provinces in particular possess a unique importance and influence, and I am sure that the Government of India will pay sufficient attention to the resolution that we passed the other day.

Sir, there is another point on which I think the Muddiman Committee has erred and very badly too. It is this, that it has not been able to put a curb on the powers of the President as regards questionnairing specially now when we are not sure that the coming President of the Council will not be a non-party man. Sir, in my opinion the greatest mistake, the greatest blunder which this Committee has committed is that it has not done justice to the problem whether dyarchy is satisfactory or unsatisfactory, and has declared itself in favour of this system. In spite of the unmistakable evidence of all the Executive Councillors, all the Ministers, and all the politicians of different schools of thought;

[Khan Bahadur Maulvi Fasih-ud-din.]

the committee has failed to realize the fact that, as has been stated by Mr. Mukandi Lal, dyarchy is a double-faced monster and that it is not the pet of anybody. It is a sort of dual system of government that brings directly into conflict the Legislature and the Executive. Our two Ministers have arrayed themselves against dyarchy and the strong testimony that they have given and the still stronger testimony of Mr. Chintamani and other well-informed people should have caused the committee a prick of conscience, but I am afraid that the proverb is very correct that there is no fair play in love and war—love for the old institutions and warfare against the new institutions. Sir, I find that the Ministers are practically amphibious animals that live both on land and under water. They have got one leg in the inner circle of the executive and the other in the domains of public opinion. They realize that they owe their appointment to the Head of the province and at the same time they have to look up to their *clientele* in the council for their existence. It is a position which is intolerable for anyone. They realize that as the luminaries of the constellation of the Government they have to give their vote for the Reserved departments and at the same time they have to keep in humour those who look up to them for going with the tide of public opinion. You can run them down as much as you like, but I can assure my honourable friends who want to run them down that they are not in possession of the "Open Sesame" of Ali Baba or the "Wonderful Magic Lamp" of Aladin. The plan of the joint purse has driven them to such a position that they have to dance to the pipe of the Finance Member. They cannot effect any improvements in their departments unless they are supplied with sufficient money. This is their position, and I should say that that position is quite unenviable.

This is the point which the Committee did not look into and I think the conventions that have been suggested by the committee are mere palliatives of no permanent value. For instance, take the suggestion that there should be frequent meetings of the Cabinet, that the Ministers should also be consulted every now and then as regards the policy of the Reserved departments—all these devices are, I think, quite ineffectual. A drastic change is needed in the system and the Ministers are round men in square holes or you may call them square men in round holes, but there you are. It is not the personality of this Minister or that Minister that is to be criticized; it is the system which ought to be criticized. I entirely agree with the opinion of those who have signed the minority report that there should be a Board of Finance and I suggest that the Board of Finance should consist of the two Executive Councillors, the two Ministers, and a few members of this House, and this Board of Finance should have full control not only over the finances but over the policy of the various departments. At present it is the Finance Member who has not only the control of the finances, but also the control of the policy and this is a matter which needs very seriously looking into. The Ministers have naturally to be led by the nose by the Finance Member, otherwise their position will become intolerable.

Lastly, I want to say a few words about the minority representation. My friends, Dr. Shafa'at Ahmad Khan and Hafiz Hidayat Husain, have said enough and I can say that they have voiced the opinion of all the

Muhammadans, if not of India, at least of these provinces. It is an undisputed fact, and this fact was also repeated with force by Mr. Kunzru the other day, that the one means and the only means of getting *swaraj* is to attain unity between the Hindus and the Muhammadans. It is a plain fact that when the Indian Muslims as a nation were agitated over the Khilafat question and embraced their Hindu countrymen with open arms, then the whole political atmosphere was changed all of a sudden and we thought that we were on the highway towards attaining *swaraj* or responsible self-government. It is now for the leaders of both the communities to bring about this union, but I submit that we must approach this question with an open heart and with sincerity and we must realize that we have not only to talk, we have not only to make speeches on the platform, but we have to act and act in a spirit of tolerance, in a spirit of mutual give and take.

Babu Mohan Lal Saksena : I move that at the end of the resolution the full-stop should be deleted and the following words should be added :—

“and that immediate steps should be taken to revise the constitution in conformity with the wishes of the people.”

The amended resolution will read thus :—

“That this Council recommends that the Government be pleased to convey to the Government of India the considered opinion of this Council that the Muddiman Committee's report and recommendations are highly unsatisfactory and that immediate steps should be taken to revise the constitution in conformity with the wishes of the people.”

The Hon'ble the President : The motion before the Council is to delete the full-stop at the end of the resolution and to add the words “and that immediate steps should be taken to revise the constitution in conformity with the wishes of the people.”

Today being Friday, the Council will now adjourn for an hour.

After the adjournment the Deputy President took the Chair.

Babu Mohan Lal Saksena : It is too late in the day for me to categorically give the defects of dyarchy or to deal at length with the defects of its working. It has been condemned on all hands even by its erstwhile admirers who had been carried away by the glitter of reforms. They have now been disillusioned after it had been worn out under the rough use by the *swarajists*. Dyarchy does not exist any longer in the province of Bengal nor does it exist in the Central Provinces. In other provinces it has been exposed in its nakedness and the Ministers who have been working it have found that it must go, that it is unworkable, and that the existing conditions are intolerable. But I would like to draw the attention of this House to three fundamental defects of the Reforms which have vitiated the Government of India Act and which if not avoided will vitiate any other constitution however liberal it may be unless those defects are removed. The first was the manner in which the Government of India Act was enacted. It almost amounted to a negation of the principle of self-determination for which thousands of our countrymen went and fought on the battlefields of France, and naturally we had hoped that in the shaping of our own destinies we shall have a voice, that our wishes will be taken into consideration. But when this Government of India Act was enacted

[Babu Mohan Lal Saksena.]

the preamble says that the time, measure and manner of each advance will be judged by Parliament and by the British Government and by the Government of India. There is no reference whatsoever to the peoples of India, as if they are the least concerned in the enactment of its reformed constitution. The second defect is that it is not a growing constitution. It has not got the element of growth, it has not got the roots which a natural plant has and which grows with the circumstances. It is said that for another ten years there will be no advance whatsoever except perhaps minor changes here and there. It presumes that the conditions in India will continue to exist the same as they existed in 1919.

And the third and greatest defect in the constitution—in the Reforms—was that it failed to make a declaration of rights. And I submit no constitution is worth the paper on which it is written which does not incorporate a declaration of rights, which does not guarantee the very first essential rights of freedom of speech, of freedom of association and freedom of the press. Sir, I would only refer the honourable members of this House to the wordings of the Magna Charta, which says no freeman shall be arrested or detained in prison or in any way molested unless by lawful judgment of his peers and the law of the land. Similarly the constitution of America incorporates that Congress shall make no law abridging the freedom of speech or of press or the right of the people peaceably to assemble and to petition the Government for a redress of grievances—the right of the people to be secured in the persons, houses, papers, and effects against unreasonable searches and seizures shall not be violated. I ask the honourable members of this House have we got our rights as enunciated in the Magna Charta or in the declaration of rights in the American constitution? Have we got those rights secured? Have not thousands of men been sent to jail without any trial worth the name and subsequently released, for they were not found guilty? Have not thousands of persons been detained in jail for no fault of theirs but that they loved their country and they worked for its freedom? Do we not know that hundreds of young men in Bengal have been arrested and are still being detained in jail, deprived of their freedom without any trial? And the worst of it is that an Act has been passed by the power of certification vested in His Excellency the Viceroy suspending the provisions of the Habeas Corpus Act? I ask members of this House has any other executive in the world got powers like this, has it got powers of suspending this privilege of Habeas Corpus? And, Sir, if under a constitution this can be suspended I think it does not need more words of condemnation in regard to that constitution. So I warn the Government, I warn the authorities, that unless these three factors are taken into account in drafting the future constitution I think it will not be acceptable to the people of this country. And it is on account of this that I have brought this amendment in which I say that immediate steps should be taken to revise the constitution in conformity with the wishes of the people. Sir, I now come to the difficulties that are generally said to stand in the way of our advancement, and in the report they are enumerated (1) position of electorates and their education and capacity, (2) communal tension, (3) the representation of the depressed classes and working classes, the size and heterogeneity of population of the provinces and internal security and self-defence. These are the several

difficulties that have been pointed out in the minority report as standing in the way of future advance. Sir, the members who have signed the minority report have tried to explain away these difficulties and they have said that they are not real difficulties, they are only imaginary difficulties, merely the creation of persons who are interested in refusing the self-government, in continuing and perpetuating their rule over us and they are no real difficulties. I would only say a few words in regard to communal tension that at present exists. I have on two occasions mentioned in this House that the present Hindu-Muslim tension, the present Hindu-Muslim differences, are a special feature of the British *Raj* in India, and I have taken pains on both occasions to bring it home to the honourable members that Government is to no little extent responsible for them, and on one occasion I pointed out that the Publicity department of the Government got photographs of the forcible conversion of Hindus by the Moplahs published and freely distributed in these provinces. It was not at a time when the *Shudi* and other movements were prevalent, it was not at the time when the Hindu *sabhas* had been re-organized, it was at a time when Hindus and Muslims were united, they were fighting the battle of freedom, it was then that Government took it into its head to print these photographs and have them posted at places of pilgrimage like Ajodhya and Kashi. Now, I put to the honourable member of this House is it not a direct incitement to the various communities to organize themselves against each other? Was it not a direct agency to create hatred between the two communities, and on both occasions I am sorry to say not one member of Government had the courage to explain as to why this course was adopted. I mention this point simply to bring it on record so that it may be seen because the proceedings of the debate are going to be forwarded to the authorities, and it may be brought home to them as to what share they had in regard to these matters. The Government has been actuated by the policy of *divide et impera*, and it is as a result of that policy that we find that communal conscience is keenest, most aggressive, and most assertive at present.

I would refer the honourable members to the General Administration Report, page 4, where it was stated :—

“It was perhaps inevitable that there should be violent reaction from a unity of Hindus and Muslims which was based on expedencies of the moment rather than on any fusion of hearts and ideals; but it cannot be doubted that the reaction was the more swift and the more violent on account of the spirit of lawlessness and of intolerance engendered by the non co-operation movement and on account of the campaign of reconversion and of Hindu organization.”

The whole blame has been laid on the shoulders of the non-co operators in this administration report for these communal tensions and also partly on the *shudi* movement. I ask honourable members to judge for themselves whether this remark in the administration report is at all justified, whether it is at all correct. Was there any movement when these photos and posters were published by Government? Was there any hatred when the non-co-operation movement was at its zenith, when it was being followed by the people mostly? It was only as a result of constant propaganda by the *Aman Sahbas*.

Babu Bhagwati Sahai Bedar : They are *Ghulam Sahbas*.

Babu Mohan Lal Saksena: My friend says that they are not *Amm Sabhas* but *Ghulam Sabhas*. But I know in a country like ours there can be only two parties. One is that which wants to perpetuate our slavery and the other is one which wants to achieve freedom. So we may call it by any name, for we will be judged by our actions.

The Deputy President: The honourable member's time is over and he should bring his remarks to a close.

Babu Mohan Lal Saksena: I thought that the mover of the amendment would be allowed longer time.

The Deputy President: The honourable member is not entitled to more time. There are other members who wish to speak.

Babu Mohan Lal Saksena: I propose to conclude the speech in five minutes. Now, Sir, I will leave the Hindu-Muhammadan question here, and come to the reactionary character of the recommendations that have been made by the Reforms Committee, and I would only refer honourable members to one quotation from the report of the Government of Bengal, and I think it will enable us to understand the nature of these recommendations. It is at page 140 of the report, and there it is stated :—

“The swarajists as a branch of the non-co-operation party, are fully prepared to use such weapons as social boycott, and are not above resorting to methods of terrorism, while the more cautious section of the educated classes stand to incur unpopularity if they even appear to support Government. It is therefore by no means unlikely that a third stage will be reached at the next general election by the return of an absolute *swaraj* majority which may take office with the avowed intention of wrecking the Government from within. With this possibility in view, therefore, the Government of India Act has to be specially considered from the point of view of giving the executive power to deal with obstruction, though there are some minor defects which call for remedy. The main defects lie not so much in the transitional constitution, apart from the ease with which a deadlock can be brought about, as in the failure of those who are prepared to work it to take full advantage of the opportunities which it offers to progress towards responsible government.” I want to cite this quotation simply to help the honourable members to understand the reactionary nature of the recommendations. What the committee tried to do is to arm the Government for the third fight that is going to take place after the next general election. They know that the swarajists are going to be returned in a majority and that they are going to have their tactics of wrecking because it is impossible for them to honourably co-operate with the Government which is perpetuating their slavery. So they have asked the Government of India to arm them with powers that may strengthen their hands and thus defeat the tactics of the swarajists. It is with this object that the recommendations have been made. There is specially one recommendation and is with regard to the nomination of members of depressed classes and labouring classes. I want to know what interest the Government took in the welfare of the depressed classes before the inauguration of the Reforms. How is it that all of a sudden they have begun to take a good deal of interest in their welfare? It is not out of genuine interest in their welfare. It is simply to get the power of nominating as many members as possible, not with the object of safeguarding the interests of the depressed classes but to increase their own voting strength at the time of division. We know that at present the Government and

members are only 23. Now in the garb of having members of the depressed and labouring classes they want to have further powers of nomination so that they may have more members.

Similarly it has been shown that they are trying to place the Ministers beyond the reach of the Council when they recommend a provision that at least one-third number of members should express their willingness in support of the resolution of vote of censure or one questioning the policy of Minister. I ask the honourable members of this Council to consider the strength of the present council. There are 123 members. Out of this 23 are nominated members. Then we have only 100 members. Out of this hardly more than 50 or 60 non-official members attend the Council. They expect that out of the sixty members who generally attend we should persuade the substantial majority of the members to signify their consent before we can place our reasons for questioning the policy of Ministers before them. Is it not in fact recommending that autocracy should be installed in all its glory? Is not this recommendation reactionary. It is said that this recommendation is simply to safeguard the future working of the constitution.

The Deputy President : I would again request the honourable member to conclude his speech.

Babu Mohan Lal Saksena : I wished to make a few remarks about the report of the Governor in Council but I do not propose to make them now. I conclude my speech in the hope the honourable members will accept my amendment and signify their resentment as regards the reactionary character of the recommendations and tell them in unmistakable terms that nothing short of revision of the constitution according to the wishes of the people will satisfy the people or ease the situation.

Pandit Bhagwat Narayan Bhargava : I rise to support the resolution as amended by my friend Mr. Mohan Lal Saksena. The majority report wants us to be satisfied with certain changes in the rules and with slight amendments in the Act, though they admit that Indian public opinion cannot be satisfied with any recommendations within the terms of the reference. It is a wonder that they want us to be satisfied with such recommendations in the year 1925. Every sensible child of Mother India is out to win full responsible government. I could go further and say that even if these recommendations had been presented before us in the year 1920 soon after the inauguration of the so-called Reforms we should have rejected them at first sight because we have been all along saying that the Act, the Bill and the Montagu-Chelmsford Report were unsatisfactory and inadequate. Not to speak only of Indians, even some members of the House of Commons were also dissatisfied with the Bill itself when it was going to be passed into an Act. William Adamson, a member of the Labour Party, regarded the provisions of that Bill as far from being satisfactory. He said on the 5th December, 1919. The Labour Party are prepared to admit that the Bill is a definite move in the right direction, our principal criticism being that it does not go far enough, and that we are failing to take the fullest advantages of the help of the people of India themselves to assist us in the successful accomplishment of the great task we have in hand. The Bill gives to the people of India a measure of control in the various provinces, but no real control in the Central Government. This is a mistake and will rob us of the sympathetic co-operation of some of the best elements of the population of India." Sir, it goes without saying

[Pandit Bhagwat Narayan Bhargava.]

that we cannot be satisfied with these retrograde recommendations which the majority report thinks will carry us forward. It is inconceivable that any party in India should accept such recommendations which are reactionary and do not carry us near our goal—*swaraj*. As my friend Babu Mohan Lal Saksena remarked, the preamble of the Act itself is open to serious objection. It gives the power of determining the time and manner of advance in to the hands of Parliament. In my opinion it is the resolute will and unyielding determination of the nation which will conclusively determine the time and manner of the advance and not the Parliament nor any other foreign force, for nations are by themselves made. India will shape its own destinies. On this point, with your permission I will quote Gladstone about the principle of self-determination of nations. He says:—"I hold that the capital agent in determining finally the question whether our power in India is or is not to continue will be the will of the two hundred and forty millions of people who inhabit India." To come now to the specific recommendations about dyarchy. Sufficient has been said by my friend and I will only point out that an unconstitutional Governor is not to be found so far as my knowledge goes in any of the responsible Governments of the world. Here the Governor is not constitutional and still he is immune from any sort of criticism of the Council. He can override the decisions of the Ministers and still be not held responsible to the Legislature. It means that under the present system the Ministers are to be held responsible without any power, while executive councillors are to be all-powerful without any responsibility. I wonder at the suggestion of the majority report that they are not in a position to say on the evidence before them that dyarchy has failed. I say that it has not only failed but it has even died in certain provinces under the pressure of the cumbrous constitution which gave it birth. Time is very short and several other members are very anxious to speak. I will call the attention of the members to the outrageous remark of the majority report about the Secretaries and their relations with the Ministers and the Governor. On page 86 they say:—

"It is only therefore proper that the Secretaries to Government and such permanent Heads of the departments as are so privileged should acquaint the Governor with the actual course of administration. It should be borne in mind that the Secretaries are Secretaries to Government and not Secretaries to the individual Minister or Member of Council." It is nothing but a direct insult to the Ministers as such. Persons belonging to the heaven-born services are to be given preferential regard even over their superiors and officers of Indian blood. No use will be served even if the Secretaries inform the Ministers beforehand that they are going to refer certain cases to the Governor. They do sometimes act even against the direct wish and will of the Ministers. It is simply insulting to the feelings of the Indians as such. Then, Sir, the chief defect of the present administration is about the Finance department. As a matter of fact it is the Finance Member who is the master of every pie that is to be spent by Transferred or Reserved half of the Government to meet the needs and wishes of the people. The majority report have made recommendations that either a Joint Financial Secretary or Financial Adviser should be appointed. It makes an alternative suggestion that the purse of the Reserved department and of the

Transferred department may be separated. In my opinion that will simply aggravate the difficulties which exist at present. I do not wish to take any more time of the House and I conclude by saying that according to the wishes of the people the Act should be revised. The will of the nation must be respected. Wicked and short-sighted must be the heart of the projector who will make an attempt to obstruct the rapid flow of the patriotic current of the nation.

Rao Abdul Hameed Khan spoke in Urdu. The following is a translation of his speech:—

Writers of the majority and minority reports of the Committee disagreed regarding the scope of their recommendations. The former started on the principle that proposals should consider all the defects and difficulties in the smooth working of the Government of India Act, but the remedies should be restricted to the amendment of certain rules or administrative imperfections, while the latter held that if such remedies would not lead to a substantial advance, the Committee should express their views freely on that point. The result was that the majority refused to consider the proposals about the practicability of dyarchical system and opined that it had not failed. The minority, however, always kept in mind the public demand for a further constitutional advance—and thinking that dyarchy had miserably failed on account of inherent defects, and no change or amendment in the existing rules could remove the defects, they recommended for the appointment of a Royal Commission, that should take up all questions in every aspect. Otherwise it is clear, Sir, that if the appointment of this Committee did not have in their scope the inquiry on such an important and vital subject, it was not of much use at all; and a departmental inquiry would have equally served the purpose well. The labour Government clearly meant the committee to be followed by a Royal Commission, and certainly the majority worked under some misapprehensions, when they did not take up the question from a wider point of view. Moreover the majority considered that fair trial was not given to dyarchy in such a short period, while the minority held that the experience in Bengal and the Central Provinces had clearly shown that it had enough trial specially during the first three years, when the conditions were favourable, and had completely broken down. It is thus seen, Sir, that there are fundamental difficulties between the two, and require our careful consideration.

Sir, having expressed myself about the general difficulties under which the Committee had to work I shall now confine myself to two things only. To tell you the truth I am not at all ashamed to admit that I was thoroughly disappointed after going through the reports of the majority and minority alike. The majority as well as the minority did not pay the due consideration to the two most important problems, which I shall very soon put before you and which, I am sure, would have infused a new spirit and life in this country. I believe the writers of the majority and the minority reports have committed an irreparable blunder, firstly in not giving their full and sympathetic consideration to the problem of safeguarding the rights of the minority—communities of this country, and, secondly, in not trying to come to a definite conclusion about each province with reference to its merits. The problem of safeguarding the rights and privileges of the minority is the most essential problem on which the future progress and prosperity of this country

[Rao Abdul Hameed Khan.]

entirely depends. The inhabitants of this country who belong to different religions can only unite to fight the battle of the freedom of their motherland when they have full assurance that their rights are absolutely safeguarded once for ever against the majority. It is only a recent matter that the majority and the minority temporarily united themselves, out of the zeal for Khilafat and the Punjab wrongs and stood against the Government. Everybody who is present here will bear me out that non-co-operation movement achieved a wonderful popularity and strength during the last few years. But because the union was not based on any definite mutual understanding it could not last long.

I can clearly see that there is no possibility whatsoever of any fresh efforts for swaraj and unless and until the two great communities of this country come to a definite and mutual understanding. United we stand and divided we fall. I can say without fearing contradiction that if once the Muslims are fully assured of the safeguards of their rights and privileges in all the constitutional bodies and of their proper share in the service they will be prepared to work with greater zeal and sacrifice than their Hindu brethren in order to attain swaraj for India. Our lives are but better without mutual trust—and mutual trust can only be secured through the assurance to the minority of its rights being safeguarded.

Sir, with your permission I want to say to my Hindu brothers that for heaven's sake they should not consider over demand for protection with a jealous point of view, but they should think that the demand for protection is a weak man's birthright.

Thanks to God that in this Council we never show communalism, but it is the administration of the district and municipal boards under their non-official chairmen which has really opened the eyes of my co-religionists. What I once told His Excellency Lord Reading now I repeat before you that in my childhood I was told that British rule in India has rendered it possible for a lion and goat to quench their thirst from the same stream together, but our experience of the reforms only proves that it is the lion which monopolizes the water and the poor thirsty goat has to witness the scene from a distance. Only the majority, is benefited from the reforms, and the representatives of the minority as a matter of fact, are summoned to attend the meetings of the local boards simply to hear the decisions passed by the majority. I am at a loss to understand why the Government has eliminated the proviso portion of the well-known League and Congress Pact. It is the first and foremost duty of every civilized Government to look after the protection of weak and strong alike. Such shortcomings of the Government give an opportunity to people to say that the Government in this country is carried on on the principle of "Divide and Rule."

I must say, at the end, it was very unfortunate indeed that neither the majority nor the minority of the Reform Inquiry Committee did take serious notice of this long-existing grievance which directly involves the welfare of one community and indirectly involves the welfare of the whole country.

What the majority says on this point is only this much that "Two standing committees of the Indian Legislature should be constituted

for considering the Bills affecting Hindu and Muhammadan Law respectively." While the minority has done its duty to its full satisfaction, I see whose, by saying that "the question has not been fully examined and existing safeguards are sufficient against hasty action." For God's sake somebody may tell me what and where are those "existing safeguards." Now I will say something about the other mistake which the majority and minority have combinedly made. Even a schoolboy could tell you that the legislatures of various provinces took up different ideals to work. In these no difference between the lines of actions adopted by the Councils of the Central Provinces, Bengal and those of Madras and the United Provinces?

I am unable to understand that a distinction between good and bad can be considered foolish or unfair. Is it at all just that all the provinces should wait for provincial autonomy till 1929 without any exception. If the United Provinces Council has shown full sense of responsibility while the Bengal and the Central Provinces Councils have refused point blank to operate is it a just decision that the abovenamed Councils should row in the same boat and should wait for their respective futures till 1929? Enough has already been said about the impracticability of the dyarchy and I do not want to take more of your precious time on this subject. But, however, I will say that under the present system of Government the position of the Ministers is most pitiable—and at present their work is as difficult as the passing of a camel through the hole of a needle.

They are expected to please two masters simultaneously. How they are put to task by one of the masters is daily seen in the Council and what treatment they are offered by the other master in the Government House is known to them alone. This reminds me of a couplet by a well-known philosopher and poet of our country—Kabeer—which means "when Kabeer saw a grain of corn between the two heavy stones of a mill, he wept over the helplessness of the grain." Such is the position of our present Ministers. Since the beginning of the reforms four Ministers have worked in these provinces. Former two were distinguished liberal leaders while the present two are the flowers of the landlords. All these four Ministers in the face of so many difficulties have made remarkable progress in their departments. It is admitted on all hands that all the transferred departments are forming better than before.

The attitude of the Muddiman Reform Inquiry Committee is the same towards the different provinces as that of a headmaster was, who, after examining a class, asked the failed students to remain in the same class because they had failed and asked the successful students also to remain in the same class because they had shown the capacity to utilize the class to their advantage. How unfortunate it is that the Reform Inquiry Committee did not consider the merits of a promise as a ground for recommendation. For instance, take up the case of our own province. We have got a strong case. No other province has got four universities as we have. In our provinces alone the depressed classes are offered a better treatment. It is in our provinces that the depressed class people are allowed to visit the sacred temples of Ajodhya, Benares and Muttra. Our Council has always been keen on elevating the depressed classes. It is in our Council that we have elected a member of the depressed class to sit in the Finance Committee. If in the Bombay Council the Ministers have to depend upon the reserved

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half for securing votes for them, in the United Provinces Council the Ministers command the majority of the votes and the reserved departments depend upon the help on the Ministers. It is said about us that we have shown a tendency to put more burden on the tax-payer if the emergency arises. In our own neighbouring province, the district and municipal boards cannot pull on without an official chairman. No other province in India has got a greater number of big cities than ours. The last but not the least distinction of our province is that we have the greatest number of big landlords of all the provinces. Over and above all we have got a zamindar majority in the Council. I remember that the honourable mover of this resolution pointed out yesterday that the zamindar party and the zamindar Ministers were not educated . . .

Dr. Ganesh Prasad : No, I never said that.

Rao Abdul Hameed Khan : I am thankful to the honourable doctor for the correction. With due respect for all the non-zamindar members of the Council I may say that a zamindar has to deal with men and matters from his very childhood—while a non-zamindar has to deal with books alone. A non-zamindar can at his best be an artificial administrator, while a zamindar is but a born administrator.

It would have been a great pleasure to me if, on the basis of distinguished merits of our provinces, recommendations were made for complete provincial autonomy, and if it were not possible, recommendations should have been made to transfer more departments. Zamindars, in my opinion, would have to this measure as a half-way house. Before I finish my speech I want to say that we entirely approve of the note submitted by our popular Ministers. I thoroughly support, with all strength at my command, the proposal of constituting a second chamber as almost all democratic countries prove. We being the inheritors of an ancient civilization and traditions require the check of a second chamber to protect us against the ill-effects of the Western education and to check the public opinion whenever it is an outcome of the temporary effect of insanity.

[During this speech the Hon'ble the President resumed the Chair.]

Pandit Sri Krishna Dutt Paliwal : As the amendment standing in my name is similar to that moved by my friend Mr. Mohan Lal Saxena, I rise to support the motion before the House. The first thing that strikes me in the stormy history of the so-called Reforms is the wooden nature of the bureaucracy, the utter disregard and deep contempt it has shown for public opinion. The Indian National Congress denounced the Reforms as soon as they were announced, as inadequate, unsatisfactory and disappointing. The Muslim League characterized them as wholly unsatisfactory and altogether inadequate. A wave of political agitation was raised throughout the country and the nationally awakened India refused to have anything to do with the Reforms. Reforms were boycotted, an overwhelming majority of the public abstained from voting and no nationalist worth the name stood for the Councils. Even the liberals who were not satisfied with the Reforms took every opportunity of expressing their dissatisfaction. In 1921 the Assembly adopted a resolution for the earlier revision of the Act and it expressed deep dissatisfaction against the despatch of the Secretary of State which

was sent in answer to that resolution. Again, in July, 1923, the Assembly adopted another resolution asking for further reforms. But, Sir, bureaucracy remained unmoved. Early in 1924 the Assembly adopted an amendment moved by our illustrious leader, Pandit Moti Lal Nehru, asking for a round table conference to consider the best means for the establishment of responsible Government in India. But, Sir, the only thing which we got was this Muddiman report which only further illustrates the proverb of a mountain in labour bringing forth a mouse. The burden of the majority report is that Reforms were not given a fair trial. The minority report has given a direct lie to this plea. So far as those who undertook to work the Reforms were concerned, we on this side of the House thought from the very beginning that the game was not worth the candle. Therefore instead of working the Reforms we decided to wreck them, and circumstances have proved that we were in the right. What is it, after all, that the Reforms have given us? An imbecile Legislature in the centre and dyarchy in the provinces. There is no trace of responsibility in the centre. Questions put by us can be successfully evaded and even wrong and incorrect answers are given to them, as we have seen from our experience in this very Council. The Government can even refuse to answer questions. The Hon'ble the President has many a times said that we cannot compel the Government to answer them. Thus even the right of interpellation is ineffective. The power and discretion vested in the Governors to disallow a resolution is very vague. It is so vague that resolutions passed in one Council are disallowed in another Council, and even if the resolutions are carried they are not given effect to. They are not binding. They are only of a recommendatory character. They are taken as an expression of the view of the Council on a particular subject. We can be prevented from introducing Bills. Our Bills, if passed, can be vetoed and the Bills rejected by us can be certified. Taxation can be imposed and expenditure can be incurred against our will. And it is only in connection with the expenditure incurred in the transferred departments that our voice is negatively effective. For even there we cannot compel the Government to provide funds for the transferred departments. We can only cut down expenditure already provided. The sinister design underlying this arrangement is apparent. Its meaning is clear and lesson obvious. The position of Ministers under dyarchy is really pitiable. They are appointed by the Governor and hold office at his pleasure. Their position is that of a mere adviser and that only in connection with the transferred departments. They are not necessarily consulted in connection with the reserved departments. Section 52 (3) of the Government of India Act says that in relation to transferred subjects the Governor shall be guided by the advice of Ministers unless he sees sufficient cause to dissent from their opinion, in which case he may require action to be taken otherwise than in accordance with that advice.

The wide scope and power given to the Finance department makes the position of the Ministers still more embarrassing. Even if the Governor consents to be guided by their advice the Finance department in examining their proposals examines their policy and thus dictates or vetoes the policy of the transferred departments. The Hon'ble Mr. Kelkar, the ex-Minister of the Central Provinces, has said that the permanent Heads of departments could and often do challenge the propriety of the orders of the Ministers and they can do them no harm if their orders are negatived by the Governor. Mr. Chintamani has said in his evidence

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that even Commissioners and district officers interfere in the administration of the transferred departments. In the case of Lala Harkishen Lal, the ex-Minister of the Punjab, the officials complained against him and took legal advice and threatened him with the advice of the Government of India and the Secretary of State.

Sir, as the matter stands it cannot be otherwise. The minority report of the Reforms Inquiry Committee says that the very constitution and the method of recruitment and control of the services are incompatible with the situation created by the Reforms. There is a natural difference between the points of view of the members of the permanent services and the Ministers in regard to the question of policy inasmuch as they represent different schools of thought—one bureaucratic and the other popular. Still, Sir, they are yoked together for dragging the *charakha* which would not move. In fact the Ministers have to serve two masters—the Government and the people. They find themselves between the devil and the deep sea. They are neither on earth nor in heaven, but somewhere in the middle region, hanging like त्रिशंकु (Trishanku) an object of pity if not of scorn, to the whole world. No self-respecting man would ever like to serve under such circumstances. Even the position of the Indian members of the Executive Council is not a happy one. They have to advocate and defend the views which in their heart of hearts they do not share. Note the position of the Hon'ble the Home Member himself. He was in a very awkward position in connection with the debate on the flogging of the convicts in the Tundla rape case, the Muzaffarnagar Dasehra incident and the Bijnor fair. The executive is as irremovable and as irresponsible as ever. To sum up, the Reforms are a sham, the Councils are a farce, and dyarchy is a fraud. It is a snare to entrap the unwary.

Sir, the majority of the Muddiman Committee has done nothing beyond recommending the crossing of t's and dotting of i's of the Reforms Act. In many respects their recommendations are even retrograde. Certainly the recommendations of the minority are better, but they too stand for the patching up of a hopelessly worn out machinery. Rupees 46,000 has been spent on this committee, and it is certainly a criminal waste of public money. The report is not even worth the paper on which it is printed. It has said nothing new and it has revealed nothing new. I almost regret the time and energy spent in reading it through. I say that you cannot meet the needs of the situation by merely removing the defects of the Act, because the whole law is bad and even the preamble is designed to stifle and to suppress the natural desire and the natural instinct of the Indian nation. There is a genuine desire among all sections of the people for fully responsible Government. The people are dissatisfied with the present constitution, and it is no wonder that they are so. We know that in spite of the reforms there is no help for the people against the oppression and corruption of the very officials whom they pay to protect them. We know that in spite of the reforms the officials can insult the most respectable citizens in our country as they did with impunity in Muzaffarnagar. We know that in spite of the reforms they can shut up the best and the highest in the land, on preposterous pretexts and lame excuses that cannot stand the light of day. They did shut up forty thousand of our

countrymen, including the flower of the nation, in jail. We know that recently a person was arrested at Gorakhpur for selling a book which was not proscribed, but against the author and the printer and publisher of which no action was taken. We know that in spite of the reforms officials can shoot our countrymen like rabbits. They did kill them at Rae Bareilly and the Cawnpore Cotton Mills, to quote only two instances from our province. Our liberty, our life and our honour are at the mercy of the alien bureaucracy. What is it then, Sir, that the reforms have given us? I say that even anarchy is better than this dyarchy, because anarchy is a phase of human society which is bound to be temporary and which sooner or later—I hope sooner rather than later—is bound to adjust itself to the normal conditions of life, but dyarchy is worse than anarchy because it is nothing less than an organized anarchy of those who have made it their business to exploit the people of India so long as they can. As I have already said, our life, our liberty and our honour are at the mercy of these anarchists. They say that they have declared that the establishment of responsible Government in India is their goal, but our complaint is that the procedure they have adopted has made that declaration null and void. The constitution is to be examined according to that procedure every ten years and steps forward or backward will be taken as a result of that examination. Where is the guarantee that this examination is not to go on *ad infinitum* till Doomsday? The preamble of the Act says that the manner, method and time of each advance is to be determined by the British Parliament. No self-respecting nation can ever consent to bear such stamp of slavery. I ask what right, what capability the British Parliament has to do this? We do not want a constitution imposed from the top, which is bound to fail, not being the natural growth of the institutions existing in the country. Every school child knows that constitutions are not made, they grow. In such circumstances to say that the British Parliament is the judge of our capability as to the introduction of reforms is wrong. What we really want is not a constitution, but the right to frame a constitution suited to the genius, the temperament and traditions of the people, their character and their history. What we want is not a change of masters, but to be ourselves masters. What we want is not a change of officials but to have our own officials. The present officials may remain if they are willing to serve the country honestly and faithfully, but if they want to lord over us they are free to go away and increase the number of unemployed in their country. Give the people what they want. They will not have dyarchy and almost every provincial Government bewailed that, an important section of the people having refused to work dyarchy, dyarchy has failed. Be it as it may, the fact remains that dyarchy has failed. It is a dead horse which will not move, whip it as you may. The situation is grave in all conscience. Throughout the length and breadth of India there is a keen discontent. All sections of the people are dissatisfied with the present constitution. One section is straining every nerve to wreck the reforms. The other is still sullen and sulky and is waiting for a suitable opportunity to give a decisive battle to the bureaucracy by resorting to direct action such as mass civil disobedience. Our youths—the fiery and impetuous youths—driven to desperation are already taking to dangerous and undesirable paths. The spirit of defiance against the . . .

The Hon'ble the President: We are discussing the merits and demerits of the Muddiman report, but since I resumed the chair I have not

[The Hon'ble the President]

heard a word about it. I hope the honourable member will confine himself to the resolution.

Pandit Sri Krishna Dutt Paliwal : The spirit of defiance against the present authority which has taken possession of the people finding no other outlet is manifesting itself in communal riots. Who can say that the calm which we see today is not the calm which precedes a serious storm. Who can say that the volcano upon the crater of which you are sitting under a false sense of security will not burst all of a sudden and sweep away everything in its eruption. The situation is bound to grow graver and graver day by day if the wishes of the people are not met according to their satisfaction. If the Government will not take note of the situation and set itself right with the people, the humanity, the posterity and the future historians will curse it for making India a thousand Irelands. Therefore I submit that the Act ought to be immediately revised according to the wishes of the people.

Lala Mathura Prasad Mehrotra : As you have just said that it is needless to move the amendment that stands in my name, I rise to speak on the resolution.

The report of the Muddiman Committee has not come to us as a surprise, nor has it disappointed me. The long-expected has come to pass. Since the appointment of the committee we were expecting what we find in this volume. The balance of the committee was in the hands of only one honourable member, and we all knew that he would go against the wishes of the provinces, and so he has done. About the terms of reference, I may only remark that they were very limited and narrow. On this point both the majority and the minority reports are agreed. Those members who were in the minority on the committee have done their best to enlarge the scope of inquiry, but others have simply narrowed it down. While discussing the report of the Muddiman Committee, I wish to make it clear that we are only dissatisfied with the majority report. We are all unanimous on the minority report, and we do realize that their conclusions are progressive and far-reaching. There is, however, only one point in respect of which there is a difference of opinion, and that is about the appointment of a Royal Commission. Honourable members should not lose sight of the fact that the minority have also stated that what they want is either the Royal Commission or any other agency like the Round Table Conference which the Government may like to appoint.

Sir, the leader of the swaraj party—I mean Pandit Moti Lal Ji—in the Assembly also accorded a welcome to the minority report. It should not be understood that he accepted every point of it, but when he extended his agreement to the report he meant that he generally accepted the points that have been brought forward by the minority. The majority report, of course I should say, has gone back from the Reforms Act. There are some points upon which they have imposed further restrictions. I will not take a long time of the Council, but I will quote two or three sentences from the report. Sir, they say that there must be some control over the borrowing powers of the provinces. They want to have a check upon the borrowing powers of our provinces. They also say:—"Before any system of provincial autonomy could be introduced into India the question of the definition

of the fields of taxation and legislation would require much closer examination, and the extent to which it would be necessary for the Central Government to employ its own agents for the administration of its own subjects would become of the greatest importance. Similarly, much more definite provision would be required to provide for the enforcement of the authority of the Central Government over the provincial Governments and the citizens subject to its central laws." Therefore they are going to enforce greater check of the Government of India upon the province instead of provincial autonomy. Then, Sir, two important and the main points have been raised as a plea of not advancing further reforms in the provinces—the communal representation and the education of the electorates. I admit that there is a bitterness of feeling between the Hindus and the Muhammadans nowadays, but I would ask was there no bitterness between the Catholics and the Protestants in England before the seventeenth century? Were not then the wars fought for religion? They were almost all due to religion, and if there is a little bitterness between the two communities I do not think that is a valid reason for not giving us provincial autonomy. Then, Sir, as regards the education of electorates, I would say that it is very necessary indeed, and I will admit at the outset that we are socially and politically backward. We are also not as much educated as the people of the Western countries are. But the responsibility of our lack of education is also to a certain and greater extent upon the head of the Government. There was a time when we were considered to be highly educated and civilized, while the others were deprived of both. Then, Sir, I will give you a very interesting example about the education of the electorates of England of which a comparison is often made. Mr. Stuart Hodgson, Editor of the *Daily News* in the November number of a very important magazine, the *Nineteenth Century and After*—I mean just after the recent elections in England—while giving the causes of the weakness of the position of the liberal party, says:—"The weakness of liberalism at present consists in the fact that it is almost entirely without the sort of reserves of political force to which both its rivals can appeal . . . These reserves have scarcely any connection with the real merits of the contending creeds, and they are enormously powerful in the new electorate. Their nature can best be explained by illustration. 'We like you,' said a deputation of working men to a liberal candidate of my acquaintance. We have heard what you have to say, and we agree with all of it. We will all vote for you if the Union does not put up a man. But, of course, if the Union puts up a man, we must vote for our own man. There is, I observe, no condition made as to the character or qualifications of the man, as to the policy for which he is standing or his own apprehension of it or capacity to express it. Before he opens his mouth—nay, before his identity or even existence is known—this mysterious candidate is assured of the support of thousands of voters."

In this way he goes on to describe the defects of the electorates in England. Then I would also submit that in the recent elections one of the greatest men of England, Mr. Asquith, could not be returned. If the electorate was quite up to date, they ought to have sent him into the House of Commons, which consists of 615 men. If men like Mr. Chintamani and Mr. Kunzru could not get in here in India, it was due to a party question. The question was the same as that with Mr. Asquith in England.

[Lala Mathura Prasad Mehrotra.]

Then, Sir, I will give you some of the reasons for the failure of dyarchy. The division of subjects into reserved and transferred is the very essence of dyarchy. The division that has been made in our provinces is indeed very undesirable. The position of the Ministers, as has been related to the committee by Messrs. Kelkar, Chintamani, Harkishen Lal and Sir Chimanlal Sitalvad, is very deplorable indeed. They have given the testimony of their experiences that some of them were reduced to mere figure heads. There was friction with the heads of departments, and when the matter went up in appeal to the head of the province it was mostly decided in favour of the heads of departments or the secretaries, and Lala Harkishen Lal has clearly said that it was only with threats of resignation that he held the ministry so long. Such is the position of the Ministers.

As regards the double position of the Ministers in the Council and the Government it has already been described by the previous speakers. It is indeed very unfortunate that they are not invited to give their opinions on matters relating to the reserved departments while the responsibility of the whole Government is placed on their heads and they are not in a position to defend it in the Council before the members of their party.

Then I would invite the attention of the House to section 52 (3) of the Act. It has not been administered in the spirit of the recommendation of the Joint Parliamentary Committee, and the consequence was that often there was friction between the Ministers and the heads of departments. This committee has left all these defects as they were and has satisfied itself by making passing changes here and there.

Now I will come to the suggestions that have been made by the committee. One of the most important suggestions of the Majority Report is for the transfer of Forests, and even that has also been left to the sweet will of the head of the province, while the department of Irrigation, which is similar to Forests, has been left to the reserved side. Our Government has also unfortunately recommended the same, and she is afraid that if the forests of Kumaun are transferred, the people will root them out. I was indeed very much surprised to read that remark. The Minority Report is in favour of the transfer of all the subjects except law and order, and I whole-heartedly agree with the signatories of that report.

There is one very important point that has not been touched by the Majority and the Minority Report and it is the establishment of a second chamber. When we question the power of veto of His Excellency the Governor we must have a second chamber for the landlords of this province who are in a majority in this Council by good luck, but nobody can guarantee that they will have the same majority in next election. When India is given reforms on the lines of Western countries, there must be a second chamber. In England we have got the House of Commons and the House of Lords. In the Government of India they have got the Legislative Assembly and the Council of State. I do not, therefore, see any reason why our province should not have a second chamber on the same lines.

Another important point that they have not discussed in the report is the financial question. The Ministers have to depend entirely upon

the mercy of the Finance Member. If they get funds, they can do something for the famished departments, otherwise they have to sit quiet. Even they have no right to say anything about the remission of 56 lakhs in the provincial contribution. So it is very essential that there must either be a division of finances or the Ministers must have some controlling power over them.

I will conclude by pointing out one thing more that though one of the honourable members of the committee when he was in office went with the majority, yet when he came out of the office he was partially in favour of the minority, and I think he was sorry for it. This fact also shows that if the appointment of the committee would not have been in that way the report would have come out in another and popular form, and hence the minority report is to be considered as the consensus of opinion and true index to our hearts.

Babu Sita Ram : Sir, I beg to move that the following words be added to the resolution moved . . .

The Hon'ble the President : There is already an important amendment before the Council. I will put that first if the honourable member means to move his own amendment. I thought he intended to speak to the motion now before the House.

Babu Sita Ram : Very well, Sir. I will support Mr. Saksena's amendment.

The subject of the present resolution is very important and it deserves serious consideration at the hands of this Council. Honourable members have spoken about it, and I also venture to offer a few observations regarding the matters dealt with in the report. I may say at the outset that it is wrong to assume that a system of dyarchy was introduced in India. Although it was promised by the British Parliament in 1917 that a system of responsible government would be established in India, but when it came to actual legislation no responsibility at all was extended to the Indian people. True, Legislative Councils were introduced in provinces, and the Councils were given the right of discussing the budget, of moving resolutions and putting interpellations. Two Ministers were appointed out of the members of this Council; but as a matter of fact no power—no actual power—was given to them. The heads of the departments were just the same; the Secretaries that were carrying on the administration were there. The Ministers were to be a sort of advisers to the Government; under the law the Governor was required to accept the advice of the Ministers, but it was at his pleasure to discard their advice, and the most important point was that the heads of the departments and the Secretaries to the Government could go to the Governor and say that the policy of the Minister was wrong, his order was wrong and it should not be carried out, and the Governor would, I think, in 99 cases out of 100 abide by the advice of the heads of departments for the simple reason that those persons and the Secretaries possessed more administrative experience than the Minister could have. A Minister, not knowing the work of administration, not knowing the situation and the heads of the departments trained in administration, could put better arguments before the Governor to prove that the Minister's advice was wrong and if carried out would lead to confusion in

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the department. Although I am not in the secrets of the Government, but looking to human nature and administration as it is going on I can say the Governor would say to the Minister:—You are wrong and your opinion is not right." Therefore the system that was introduced in India was not a system of dyarchy; there was no responsibility at all given to the representatives of the people. It was a system which may be called a system of advice, and it ended there—it did not go further. And this is not only my opinion—reading the report we come to the same conclusion. Even the Muddiman Committee's report does not say that a system of dyarchy was at all introduced. I could have understood a system of dyarchy if the Minister had been responsible for any department over and above the heads of the departments and the Secretaries, but this is not so. Another thing you find is that the heads of departments and Secretaries could not be removed or guided by the Ministers. The Ministers could not do them any harm, could not punish them if they disobeyed their orders, because under the law it has been provided that the Ministers cannot say a word to the Secretary. So though in a way they are subordinate, but the Ministers cannot exercise any authority over them. This is an anachronism, this is anomalous. It cannot be understood for a single moment that you could be put in charge of a department and given subordinates and you could not dictate to those subordinates but they could dictate to you, and yet you are to carry on the administration. Therefore my submission is that no system of dyarchy was introduced - only you may call it the training ground, but even as such it was faulty, as it did not give them scope to carry out their policy. And then what effect have you been able to attain? Since the time when the people were promised responsible self-government the people thought that "now we will be able to settle our affairs, our burdens will be reduced, our taxes will be reduced and we will be better able to get redress for our grievances." Go to the villages, or to the town and do you find that there has been any change in the life of the people? The people are still subject to the oppression of the police, the patwari and prosecution and persecution. There is no change in their life; there is no change at all. They have not been better placed to get their grievances redressed, there are no better facilities for their education. The rents and taxes have not been reduced; they have, on the contrary, owing to the introduction of the reform and the Government's expenditure going up, been increased. Well, if these reforms have not brought any relief to the people, if they have not been better able to redress their grievances, than in pre-reform days then they are worse than useless. If I have got any advantage from a system I would be enamoured of it, but if I find there is no change whatsoever in my circumstances from what it was before, the authority of the executive still as strong as it was in the pre-reforms days, what is the good of saying I have been given reforms, what is the good of saying I have been given responsibility? The only change that has been brought about is that we can talk a good deal here and shower any amount of abuse on the Government officers or talk a lot of things in the Assembly and other places, but Government continues to do what it pleases and our voice is a voice in the wilderness. This is the only thing we have got from the Government, and from the reforms and the reforms ended there.

The promise of establishing responsible Government that was given in 1917 was very much diluted when the Act came to be passed, and it has been further diluted with the Muddiman Committee Report. They have said you will remain just as you have been, there can be no improvement and we are not going to recommend that any advance should be made. We are further going to recommend that the authority which you now possess of saying that you are not satisfied with the reforms will also be taken away from you, and it is very possible when the Commission of 1929 comes they may say that India has not progressed under the reforms and that they should be taken back. Some of my learned friends have assumed that the statutory Commission that will be appointed in 1929 will give responsibility. They are wrong in their view because section 34A of the Government of India Act says:—

“(1) At the expiration of ten years after the passing of the Government of India Act, 1919, the Secretary of State with the concurrence of both Houses of Parliament shall submit for the approval of His Majesty the names of persons to act as a Commission for the purposes of this section.

“(2) The persons whose names are so submitted, if approved by His Majesty, shall be a Commission for the purpose of inquiring into the working of the system of Government, growth of education and the development of representative institutions in British India and matters connected therewith, and the Commission shall report as to whether and to what extent it is desirable to establish the principle of responsible Government”—please mark the words—“whether and to what extent it is desirable to establish the principle of responsible Government, or to extend, modify or restrict the degree of responsible Government then existing therein, including the question whether the establishment of second chambers of the local legislatures is or is not desirable.”

It is in the power of the Commission to report that India has not progressed and therefore the Councils that are now in existence should also be taken away and autocracy restored. Autocracy has not been abolished in India. It is there. In the districts there is autocracy; in the Central Government there is autocracy; and in the provinces, I admit, that it is only a sort of advisory thing that we have. The position of Ministers has been described by various honourable members of this House, and I simply say that if there had been no charm in sitting by the side of the Governor, it is such a position that no self-respecting man can undertake it for a single moment. I have every respect for my honourable friends and I do not make any insinuation against anybody. It is only the policy that involved in the Government of India Act that I am attacking. Therefore my humble submission is that it should not be assumed that any dyarchy has been established by the Government of India Act. The Muddiman Committee's report takes away whatever power you possess, whatever powers are extended to you by the Government of India Act.

Now, coming to the constitution, what do you see? As has been remarked, the system that was introduced was that some subjects should

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be treated as central subjects and other subjects as provincial subjects; and out of these provincial subjects some should be transferred to be administered by Ministers and the rest should be administered by the reserved half of Government. But the Ministers were not given any control of the purse. They could frame schemes if they were so benevolent for the amelioration of the people, but it rests with the Finance Member whether schemes should be accepted or rejected. They cannot have any say in the matter, because you must remember that Government will provide for the reserved departments first and when any money is left it would be given to the transferred departments, because they know that they are under popular control. And, human nature being what it is, Government, which is composed of the reserved half, tries to provide for itself; and looking to the finances of the country and looking also to the fact that there is no capacity in the people to bear further taxation, the transferred departments will remain where they are. Now I will deal with the difficulties that have been pointed out with regard to further advancement. It is said that there cannot be much advancement towards self-government in India for three or four reasons. First there is the question of the electorates. Secondly, there are communal differences. In the third place there is the question of law and order. Fourthly, there is the question of services. I will briefly touch these points. I will be very short or I may be asked to resume my seat.

Looking to the question of electorates no doubt there is not much literacy in the country—and as has been remarked by other honourable members this is due also to the Government because the people have had no hand in the education of their countrymen. It is therefore argued that the electorate will not be able to take intelligent interest in elections and take part in voting. Then it was remarked by Dr. Zia-ud-din that electors voted on the promise of favour. Whatever that may be, there is the report of the majority and minority of the committee and they say that the electors are able to formulate definite opinions regarding elections. In the last election 40 per cent. of the electors went to the polls. I think it is a very good record for any country and that within two elections—to be more precise there was no election in 1920. It was in the year 1923 that the elections took place for the first time and 40 per cent. of the voters voted. People know what is good and what is bad. As has been pointed out by my friends, there can be only two issues in this country—whether one is for freedom or for slavery. Then out of the 40 per cent. of the electors who went to the polls, most of them voted for those who stood up for the freedom of their country. It is for this reason that most of those who had served under the Government were defeated. You cannot remove the idea of freedom from the mind of any man whether he is literate or illiterate. Every one knows the value of vote and if 40 per cent. of the illiterate voters voted for freedom, of course the Government should take note of it and see that definite steps are taken to institute self-Government in India because that is the goal of every Indian. Every Indian wants that the Government of India should be our Government.

Then there is the question of Hindu-Moslem feeling. Unfortunately it was raised on the floor of the House by no less a man than Dr. Zia-ud-din.

I am sorry for the speech of the learned doctor. But when you look to the facts, what do you find? This Hindu-Moslem question is confined to a very small section of the people. It is not general. It is only superficial. It is, I may say, only sentimental. When you read the evidence of Mr. Barkat Ali who was the representative of the Muslim League in the Punjab where Muhammadan population predominates, what do you find? He says that 90 per cent. of the population of the Punjab is agriculturist and there is no Hindu-Moslem question between them. There are on the best of relations, whether they are Hindus or Muhammadans. When you look to the Reforms Committee report in the Montagu-Chelmsford scheme you will find that one and a half per cent. of the population care for Government service. The rest of the population does not care for Government service. The question is now confined to this 1·5 per cent. of the population and it is they that are creating this dispute. So far as the producers of the wealth are concerned—and they are the agriculturists and the artisans of this country—there is no Hindu-Muhammadan question. It is those persons who want to take a share in the spoils of the Government who are fighting and for what? The Hindus should think that the Muhammadans cannot be altogether eliminated; the Muhammadans should think that the Hindus cannot be altogether eliminated. So it is a quarrel over only small percentages, this way or that. It is these squabbles about small percentages, these superficial disputes on very minor points, that are keeping the whole population under foreign slavery and giving the tool in the hands of the Government to keep you under their domination.

Raja Jagannath Bakhsh Singh : The debate over the resolution of my friend Dr. Ganesh Prasad opens the most important political question of the day in this country. The Muddiman Report or any report of the sort that may be brought under debate on the floor of this House or on the floor of any similar House concerns a very important question of political advance in this country, and I think, Sir, I will have your permission if I speak a few words in connection with this very important subject—words which have a bearing on the subject of political advance in this country—concerning the Government of India Act. It is evident to the members of this House that when it was thought that this country possessed the capacity and had rendered services during the war, the subject of constitutional advance appealed to the Mother of Parliaments. The feeling in this country was also similar. People here thought that we have the capacity and we have rendered services to the Crown which justify us for a step further, and not for one step further only but for a substantial step forward. The announcement in the Parliament encouraged the country, it gave them hopes, it gave them expectations that their hopes will be realized in full. But as everybody knows those aspirations and those hopes of the country have not been realized in full. This I submit to the House, as the House is itself aware, has been and is the chief reason for a great dissatisfaction in India today. From what we understand from the Government of India Act to mention it very briefly, the political advance that we have received today is an approach to Parliamentary Government, if I may put it in the words of the Muddiman Report. Even this approach to Cabinet Government has not dissatisfied the people so much as certain opinions expressed in England and in certain responsible circles in the country which created more misgivings in the minds

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of the people of India and circumstances followed which unfortunately added and added to this dissatisfaction. The chief point, as I have pointed out, Sir, has been as to what advance should be made in the political aspirations and powers of this country. The country, the intelligentsia, and those who took part in the political considerations and requirements of the country consider that no less a step than full political autonomy would satisfy the country. It has not only been the united demand of the people of this country, but responsible personages like Lord Willingdon—although I refrain from any detailed quotations today for want of time—have announced their opinion in favour of full provincial autonomy in India. In respect of this particular subject which I consider to be the chief point of the Muddiman Report, what does the report say? To express it in a nutshell the report recommends an advance and that is the transfer of the Forest department. My friend and colleague over here, Mr. Mehrotra, has said why should not Irrigation be added too? I make bold to say why not Administration of Justice and similar other subjects should be transferred to the responsibility of the Ministers in Councils. I need hardly support my argument with anything but the facts, and what are those facts. It is evident that a good number of Indians have been selected to sit in the Executive Councils of Governments, those Indians, those persons belonging to us are in charge of many departments which are called Reserved. It has not been denied anywhere that those Indian members of the Executive Councils have discharged their duties concerning these departments under the reserved side. Similarly there are other Indians who are in charge of Ministerial portfolios and there will be Indians who will be in charge of Ministerial portfolios in future. What difference can it make in the work of administration of the department which an Indian Member of the Executive Council can discharge but an Indian Minister of the Governor cannot discharge. If arguments are required to prove a proposition like this, I should say that argument will be required for any other proposition. These are my points in support of full political autonomy in this country and I dare say that these are some irrefutable points which have not been refuted and which will not be refuted in any similar assembly.

Regarding the much maligned subject of dyarchy or duality, in the administration, I think much harder and harsher words have been used against it in this House and I need not waste the time of the Council by adding to the condemnation that has already been made. As far as the dual system of the Government is concerned, I say that the united opinion is that it does not satisfy anybody and it cannot satisfy anybody. But as far as the working of the duality is concerned it has not been said in this House before I had risen to speak and I do not think it will be said after I sit down that the powers and duties which have been given to the Ministers have not been discharged well and very well. If you judge from that point of view it will be another argument in favour of getting full political autonomy, a full responsible Government by our Ministers, whoever they may be. When you have seen the four years' working of the constitutional reforms, you have no reason for dissatisfaction with the part of your Indian representatives. It requires little proof for you to prove the demand that

the remaining subjects should also be transferred to them. I can say this with emphasis that the reforms have taken place, that is, in 1921, the liberal ministers who sat here for two years have done well. The landlord ministry which has succeeded them has done very well, and let me hope that the day will soon come when the Ministers will represent the Opposition Party of today. I will welcome that day. Let me hope that they will discharge their duties with no little success. I am aware of the shortness of the time and the lateness of the debate. Similarly I am aware that the aspiring speakers are no less in number. These facts make me refrain from making an elaborate speech and developing my arguments on this very important subject. The time that is allowed us under the rules is not quite sufficient for a debate of this kind as one would like to refer to many points of considerable importance. I shall therefore speak on the most important points only. I am very glad, Sir, that the debate which has taken place today has been on the general principles only. There has been shown very little sentiment and the sentiment that there was was very limited. In fact, it was limited to one criticism regarding landlords. To this criticism I wish with your permission to say a few words. I have already shown that the landlord ministry has done well. Now the House as a whole possessing as it does a majority of the landlords has also given a very good account of itself in the last four years. Those honourable members in this House who have been here since 1921 have seen that the first important measure concerning the interests of the landlords on the floor of this House was the Oudh Rent Bill. It concerned the public of Oudh. Honourable members will bear me out that when this particular interest of the landlords came before them they were most conciliatory and most reasonable in yielding to the demands of the country. Then Sir, there were a number of taxation bills which directly touched the powers of the landlords, but nobody could raise a voice that the landlords shirked their responsibility where their particular interest was concerned. A similar bill, I mean the Agra Tenancy Bill is imminent in the future which has passed the select committee.

The Hon'ble the President : The honourable member is forgetting the Muddiman Committee.

Raja Jagannath Bakhsh Singh : I shall only refer to one point. Now Sir, I have sufficiently shown that the landlords have given very good account of themselves. If it is thought that landlords require more intelligence, more political education, I beg to submit that it would require no less effort on the part of literary pursuers to take to politics. Mathematics and literature only will not guide the political destinies of a country with any appreciable success. Avoiding any reference in the country, I would say that a French philosopher named Guizot has totally failed as politician.

A few words about the second chamber, Sir, and I have finished. Before I speak on this subject I hope I will not be misunderstood by the honourable members of this House and similarly I hope that the honourable members will not be guided by any sentimental consideration on the subject. I say that the conditions, in this country as they are at the present time are very dissimilar to those in many other countries. In this country there is a fairly large number of persons who have very large stakes in the Province. I would point out to the honourable members of this House that more than half the income

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of the Province is subscribed by the landlords alone and the remaining half by the remainder of the whole of the Province. In these circumstances if you rely on the principle of representation according to taxation no person can be justified in withholding a second chamber from the landlords of these Provinces unless some of the honourable members are prepared to divide the wealth of the Province in equal shares by force of law or, if I may say so, at point of the bayonet. Unless the honourable members are ready to imitate the advice of the Soviet Russia, unless they think that such policy can succeed in any country I hope no honourable member would obstruct the institution of a second chamber in these Provinces. But in case it is not possible for us to get a second chamber in these Provinces at the present time, then the number of special seats should be raised from six to fifteen in this Council.

Mr. Muhammad Aslam Saifi : In the terms of the resolution that has been moved by my learned friend the representative of the Allaha-bad University we are required to express our opinion on the Muddiman Committee's report. The Muddiman Committee sat to examine various difficulties and the defects in the working of the Government of India Act and to find out remedies with regard to the terms of reference. Therefore to begin with we have to see what the Act is? We shall now discuss about it not on hearsay evidence but in accordance with the experience that we have gained. We have now had sufficient acquaintance with the provisions of and the working of the Government of India Act. We find, Sir, that from absolute monarchy to the Government of India Act is rather a long step. I say "absolute monarchy" because when the British people established their political ascendancy in this country the system of Government was absolute monarchy and we are now advanced as far as the Government of India Act, and that is at present our final milestone. That is the effect and we have to see what is the cause of it. Has this Act, containing as it does the up-to-date constitution of India, been given to India because of the proverbial loyalty of India? I say emphatically "no". The cause of it is the unstinted shedding of the blood of Indian manhood on the battlefields of Belgium and France to save European civilization from destruction. At that time had there been a revolution in India the British Empire might have ended. We have to see the constitution that has been given to us in accordance with this Act. How has it appealed to the people and what is its value? The general public of India including men of all shades of opinion has expressed its opinion.

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کہتی ہی تجھکو خلقِ خدا غائبانہ کیا

That opinion, Sir, I will rather illustrate by a story. A few Scotch gentlemen went out on a holiday trip. They had a lot of things with them and a very heavy luggage. The porters having stowed in all the luggage waited expectantly for the tip. As soon as the engine whistled and the train was about to leave the station one of them came forward and asked? "Gentlemen, are you not going to give us any thing?" One of the Scotchmen peeped out of the window and said to his comrades: "Come on, let us give them three cheers, boys?". That is the

Government of India Act; it is the three cheers which India has received for all the services that it has rendered. What is the principal feature of this Act? Its chief feature is nothing else but dyarchy. That is the most novel feature and this is the new system of Government. This system requires the division of Government into two parts—the reserved and the transferred. The division is so very unequal that it practically amounts to a very classical partition of a house which the two brothers wanted to divide between them after the death of their father. The younger brother said to his elder brother: “Let us have this house divided. I will have half and you will have half”. The elder brother said: “Certainly we will divide it equally”. He said that this is the way in which he would divide it—

از صحن خانه تابه لب نام از آن من
از سقف خانه تابه تریا از آن تست

i. e. “From the courtyard right up to the ceiling the house will be mine and from the top right up to the heaven the house will be yours”. The Government has divided itself into two parts. One is the reserved half and the other is the transferred half.

I now come to the working of the transferred departments. I am not going to quote opinions from all sorts of authorities but I want to speak from practical experience in the transferred departments. The transferred departments are only few in number, and we all know what they are. The Ministers are appointed at the pleasure of His Excellency the Governor. They are responsible to the House according to the existing constitution. We do not know whether they are or are not consulted on all the vital questions that concern the people and the Government of the province, but we know it for a fact that generally they are not consulted in matters relating to reserved departments. Then, they have to support the reserved half of the Government. They cannot go against it. They are supposed to be responsible for the policy of their own departments, but I should like to know where it is hatched. Is it initiated by the Hon'ble Ministers themselves, or is it put into their head by their colleagues in the reserved departments, or does it emanate from their own Secretaries? Another feature of this unique constitution is that if the Secretaries do not agree with their Ministers, they have a right to approach His Excellency the Governor direct, for this state of affairs a remedy has been suggested in the report, but it is not at all satisfactory.

Sir, the fact that the present constitution has failed is proved not only by the evidence of the ex-Ministers and the ex-Executive Councillors, but also by the present holders of those offices. They have all said with one voice that dyarchy has failed and it must go. The very circumstances of the country in which we live and in which we desire to be masters demand that we must really make a great headway towards responsible Government. Our goal is nothing else but *swaraj*, which of course requires a new Act. We cannot have it under the present constitution. It has failed to provide us with what we wanted, and under the terms of reference the Muddiman Committee could not recommend anything of the sort. Therefore, we the representatives of the people must declare in unambiguous terms that we cannot be satisfied

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with anything else except provincial autonomy in the provinces. When we decide upon this question, we have to coolly and dispassionately examine our position as to whether we are prepared for it. The essential condition of provincial autonomy is that we must present a united front. I wish to inquire: Are we united or are we not?

I know that everyone, every section of the country having been perfectly dissatisfied with this constitution is making that demand. I am therefore prepared to stand shoulder to shoulder with all my countrymen, with all patriots who want self-government. But at the same time there is a point that I want to emphasize and emphasize most sincerely and it is this, that there are minorities whose interests have got to be safeguarded. Sir, the facts are that for certain reasons of which we cannot be responsible we are not one people as we find in various other countries in the world. Now the interests of the minorities have to be safeguarded. The question is what these interests are? How are they to be safeguarded? But this is not a proper and right place to discuss that question. It is to be discussed between the parties which are primarily concerned. It is much better to discuss this question between themselves privately outside this House, but a decision has got to be found and I am perfectly sure that every reasonable man and every non-official member of this House is desirous of achieving the same end. All thinkers, all leaders of all parties, all political leaders of the country are trying to achieve the very same object and they know that the attainment of provincial autonomy or *swaraj* in this country is utterly impossible, absolutely impossible, until we become one. Our first business is to become one and everyone of us is trying first of all to reach that goal within ourselves. The power comes from within and not without. We should then not wait for a constitution to be manufactured in England. We can then make our own constitution.

The Hon'ble the President: The honourable member's time is up.

Mr. Muhammad Aslam Shafi: I will just finish, Sir. Now, Sir, as a practical man on further looking into this question I find that according to the Government of India Act we cannot have provincial autonomy until the Act is amended. Therefore as practical men we might have acted on the principle that it is far better to have half than lose the whole. We might come forward to make a suggestion to this House to transfer a few more subjects. Why not go in for the subject of law and order and why not make a proposal to the Government of India to transfer any of the other departments, such as forests and irrigation, but even that I find in the Muddiman report has been left to the choice of the Governor in Council. The Muddiman Committee recommended that the department of forests might be transferred if the Governor in Council does not make out a convincing case against this transfer. The whole thing amounts to this, that if we want any advance at all as regards the attainment of *swaraj* that is not achievable. The provincial autonomy is not achievable until the Act is amended. If any further transfer of the departments is to be achieved that is not also possible. So that if the doors on every side are shut like this I would rather not make any demand because the only thing we shall receive probably will be the three cheers that were offered in the very beginning. The views expressed by the two Hon'ble Ministers I think fairly and correctly represent the views of the party.

Babu Bhagwati Sahai Bedar : I will not take long time of the House. The resolution as it stands is active in form but passive in sense. It recommends to the Government to go through the speeches that are being made in this Council. It does not suggest as to what should be done if Government does not pay any heed to our cries. In short the debate of today is nothing short of an exercise of lungs. I think nothing will come out of it although every section of the House is trying to assert its claim as if *Swarajya* is being bestowed and every body was to get what he demanded.

Now it has been suggested that the better half of the Government, I mean the reserve departments, have monopolized everything of the worst half, I mean the transferred departments. I do not agree. Dyarchy is an excellent thing. The only defect in it is that the Ministers under the system are considered like earthen pots among well-polished Moradabadi vessels. Sir, the minorities being impatient to have adequate representation permit me to distribute representation in the following manner :—

Muhammadans	...	...	25 per cent.
Christians	...	...	15 "
Agra zamindars	...	...	10 "
Taluqdars	...	...	5 "
Universities	...	...	4 "
Chambers of Commerce	...	...	2 "
Europeans	...	...	5 "
Anglo-Indians	...	...	3 "
Bhantus	...	...	1 "
Tabligh	...	...	10 "
Labouring classes	...	...	10 "
Bam-margees	...	...	4 "

Kisans and Hindus being in a majority should not get anything. They ought to safeguard the interest of the minorities. I think this will satisfy everybody in this House and henceforward minorities shall not cry for adequate representation. As for chambers, I would suggest like this to the entire satisfaction of the landlords of these provinces: A second chamber in the Council, an ante-chamber in district boards a star chamber in municipal boards.

I thank His Excellency the Governor for entertaining us with this barmicide banquet on the eve of the prorogation of the Council.

تم تو کہتے ہو دل کی * کیا متاؤگے بیکی دل کی

Pandit Govind Ballabh Pant : The importance of the subject, Sir, is my excuse for getting up at this late hour. So far as the Muddiman Committee Report is concerned, it stands self-condemned and I do not think many arguments are needed in support of the proposition moved by my friend Dr. Ganesh Prasad. The trinity in our Government, the Governor in Council, the Hon'ble the Home Member, and the Hon'ble Ministers, all agree that mere tinkering, mere alteration in rules will not satisfy anybody: that is what the Governor in Council has said in his report; that is what the Hon'ble the Home Member has said in his dissenting note and that is what the Hon'ble Ministers have observed. So, so far as that aspect of the case is concerned, from the very terms of the reference one could not but expect that the Muddiman Committee

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Report would be an absolutely unsatisfactory document, but the question is a much more momentous one. It raises constitutional issues of a far-reaching character as the happiness and contentment, the progress and prosperity of 240 millions of people directly and 300 millions indirectly, the relations between Great Britain and India, and the goodwill between the two races depend on a sound and correct solution of the constitutional problem today. It is in that light that the question has to be looked into but the Muddiman Committee Report does not touch the fringe of this question and so it is an absolutely worthless and disappointing document.

Sir, I personally think that it is not regulations, it is not Acts, it is not rules which determines the position of a people in the race for freedom. It depends entirely on faith and determination. Look at the history of the last five years only. Our learned friend, Dr. Zia-ud-din, yesterday found fault with non-co-operation. I would very humbly ask him to remember what was the attitude of the Government of India in 1921; what was the attitude of His Excellency the Viceroy in 1921-22; and what was the attitude when the Muddiman Committee was appointed and what has been the attitude since. As we all know in 1921 when a resolution was moved in the Legislative Assembly by Mr. Mazumdar Sir William Vincent said in substance :—

"The Government of India Act is not the law of Modes and Persians. We do not want that no revision should be made within ten years. It can be made any time".

A formula was adopted to which the Government as well as the Assembly agreed. We know what followed. When non-co-operation was in its hey-day, His Excellency the Viceroy, the high priest of Justice, ran down from his olympic heights to Calcutta and implored the non-co-operators to hold a round table conference in order to solve the constitutional problem, but they refused. What is the position now? It is we who are appealing to the Government to hold a round table conference and to settle the constitutional problem, but there is no response. So it is not the rules, it is not the regulations that matter, what does matter is the faith, the determination of the people to win freedom for themselves, and there is nobody on earth who can obstruct the course of those who are after a right cause. Sir, the right to freedom is an inherent inalienable right and everybody is entitled to rely on that well-recognised principle of self-determination, and it is I think according to that that my friend, Mr. Saksena, has proposed his amendment that the constitution should be amended in accordance with the wishes of the people of this country. That is what we desire. Just look at the constitutional anomaly. India has been allowed to sign the peace treaty that was entered into between Germany and other countries; India has been allowed to be represented in the Imperial Conference; but here we have no control over the internal affairs and the bureaucracy is supreme and all powerful. Can these two things be in any way regarded as compatible? Our status has been recognized in ultra-national affairs and it is but meet and proper that a similar status should be conferred on the country in respect of internal affairs.

Sir, it is not only on these constitutional grounds that I put forward this proposition. Political philosophy as well as practical politics call for this reform. I quite appreciate the force of a remark made by

the Governor in Council in his note where he says that there is no choice between responsible Government and military autocracy. I say that is perfectly correct. Now to whom are the reserved departments responsible? To whom is the Government of India responsible? I will be told that it is responsible to the Parliament. It may be so in theory but is it really so in practice? The Parliament has not even one day in the year to devote to Indian affairs. What Lord Macaulay said in 1834 hold good to this day that the Parliament devotes more time and shows greater zeal over a discussion on a rail road or a turnpike than on the whole of the affairs of 300 millions of people. We also know Mr. Montagu repeating again and again that the benches were empty when once in the year he spoke on Indian affairs. During the last war Parliament could not spare even the nominal day for Indian affairs for a series of years! So at present we have nothing but an autocracy, autocracy of grandmammas of the India Council presided over by the Grand Moghul of the Secretary of State, removed from this country by thousands of miles and knowing nothing about the sentiments prevailing here. They are carrying on the administration in collaboration with old fossils of antediluvian age. An ordinary voter or member does not bother about a foreign country except where it touches his pocket. With a view to make the administration of this country responsible it is absolutely necessary that the present system should be changed at once. There can be only one substitute for the present irresponsible autocracy and so long as a system of administration is not placed under the control of the citizens with whom it is concerned it is not possible to introduce the principle of responsibility in it.

As to dyarchy itself, nobody on earth has a good word to say about it and from its very nature it cannot be justified. There is not complete dyarchy as it is not feasible. We have got the same agency to work the transferred and the reserved departments so far as the permanent services are concerned. So far as this Council is concerned it has practically the same amount of legislative power in respect of both only with larger powers of veto, certification and restoration reserved for His Excellency the Governor in respect of reserved departments. Under these circumstances what is there to distinguish one from the other? It is only the idea in the minds of those who have to administer the two sides that makes a difference. But, all the same, the Governor is directly responsible for the departments on the reserved side. He is there to influence the administration of the transferred departments though he has power under the law to override the wishes of the Ministers. What should be the natural conclusion? Knowing human nature as we do we know that the Governor should have a partiality for the reserved departments. Then again the finances which are above all the sinews of war and of peace in matters relating to administration, are in charge of a member of Council controlled by the Governor. Again it is the stepson knocking at the doors of a doting father whose fondness is for the weakling's stepmother. It is not only in these respects that diarchy should be condemned. It is open to all sorts of objections to which the Congress-League scheme was open. We have an immoveable executive which is supposed to be controlled by the legislature. What is the natural consequence? Constant friction and bitterness, the sense of irresponsibility in one and arbitrary power in the other, which leads

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again and again to the vicious circle. Sir without going further into this question I may say here that if the system has not broken down utterly it has stood only to that extent to which dyarchy has been ignored. I do not consider it necessary at this stage to refer to any details as to what should be the representation of the zamindars and what should be the position of minorities, or whether there should be a second chamber or a star chamber. These are points which will be considered when the details are worked out. We are here only to express our conviction that unless and until this constitution is amended fundamentally and categorically we cannot have anything rational to work through which the needs of the country may be fulfilled. I will only refer hurriedly to a few of the arguments advanced by the Governor in Council in his despatch. He has stated his main objections which he seems to regard as of a fundamental character in paragraph 12. He complains that principle of responsibility to electorate has not been strengthened, electors do not recognize legislature as their representative and are indifferent to larger issues. First of all I question the correctness of that statement. Secondly I would say that even in the most advanced countries as those who have read standard works must know, the sense of responsibility has never been perfect and vast mass of population has seldom bothered about large political issues and personal considerations have always been introduced in matters relating to election. But I say, Sir, that fundamentally and from the very nature of things, diarchy cannot conduce to the ideal state of things, diarchy cannot conduce to the growth of a sense of responsibility on which the basis of representative government should according to His Excellency, be based. What is the position? Let us look at it squarely. Here are the Ministers, and the members of the Executive Council and of the permanent services. What do we see? The members of the permanent services must be above all politics. They are there to support the Ministers and the Executive Councillors, and the Ministers are there to support the Executive Councillors, though their views may be diametrically opposed to the Executive Councillors. I will illustrate this by the debate in connection with the Stamp Act. On this motion the whole of the House, including members of their own party, were opposed to this proposition unanimously, yet the Ministers voted for and with the reserved Government. Even in respect of questions relating to the transferred departments the Ministers can, with the support of the members of the permanent services and the representatives of the bureaucracy in those branches, manage to have things done as they choose or as those who advise them desire them to do even against the wishes of the majority of the elected or non-official members. Under these circumstances how can there be any sense of responsibility? Is it open to me to ask this House or to go to the constituents of the Ministers and say: well these Ministers supported this Stamp Act and therefore you should throw them out? Am I entitled to move a vote of censure that because the whole House was opposed to the jail administration and still the Ministers supported it therefore they should be turned out? These are considerations to be looked into with care. Can anybody imagine any system of responsible Government in which the Ministers who are expected and required to lead and represent the elected representatives of the people in the

legislature vote against the entire non-official body on a financial measure and on a motion for censure with impunity? This is negation and travesty of responsible Government and is repugnant to the growth of any sense of responsibility. I think His Excellency must accept that in order that there may be a genuine sense of responsibility all power should be concentrated in one set of responsible and removable executive. Then, again, he says there has not been such a growth of party system as is necessary for responsible Government. Again I say how can there develop a party system when the Ministers can effectively oppose the non-official majority in the House and even flout the wishes of their own party? The general mass of the people cannot possibly realise the difference between the transferred and the reserved. Besides there are questions so interconnected and intertwined that the reserved and the transferred departments though apparently functioning in different fields are in fact running in the same grooves. If we attack the reserved departments we are told it was the function of the transferred departments, and if we go to the transferred departments we find they are being led by the nose by the reserved side. The incidents relating to the Daranagar fair are in point. The Minister, Local Self-Government and the Finance Member both rose by turns and neither seemed to know whom the matter concerned for some weeks. Under these circumstances I submit how can a party system grow up? Besides I am prepared to confess that all of us want to concentrate our energy on the displacement of the bureaucracy by responsible representatives of the people, and though we find that on administrative question occasions are frequent and not very rare when the views and actions or omissions of the Ministers deserve to be attacked, we feel that by repeated attacks made again and again we may alienate their personal friends and supporters and thus by dividing ourselves permanently strengthen the grip of the bureaucracy which we want to demolish. How to get into our own and how to obtain responsible Government is the large and all absorbing issue before us and everything else has to be subordinated to it, so dyarchy retards the growth of party system. His Excellency also complains about lack of political education. He must have known of the obstacles which are put by his agents in the way of those who want to create political consciousness or to train the electorates. Whenever we form swarajist or other political organizations the members of these bodies are looked upon as so many rebels, so many agents of an anarchical movement. Whenever any sort of movement is organized with a view to give political education to the rural masses, the permanent officers deal with it as though a conspiracy is being hatched and it is their effort to do everything possible in order to prevent the growth of that organization. Men are persecuted, shadowed by police, even condemned to prison, licences are forfeited, honorary magistracies are confiscated, even men are turned out of their Padancharis and deprived out of their holdings simply because they enter into political questions and join in measures for the political education of the electorate. Election campaigns are engineered by the officers and people are made to pay heavily for not supporting the nominees of the district officers. Under these circumstances I ask the Governor how can political education flourish when you look askance at every measure that aims at this object? Sir, His Excellency again says that the universities and local bodies have not been functioning rightly. I think it was a very cruel remark to make. Universities in this

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Province were the first to adopt the recommendations of the Saddler Commission, a commission appointed by the Government, the recommendations of which have been inspired and supported again and again by the Government. The recommendations of that commission were adopted by these Provinces with enthusiasm. Instead of giving credit to them for making such a large advance he finds fault. It may also be remembered that the Lucknow University was formed before the introduction of the reforms, the Allahabad University Bill was practically ready before these reforms were introduced. Even now the Governor has extensive powers over these universities. May I inquire when His Excellency noticed the objectionable tendency of which he complains and what action did he take as the Governor, Chancellor or visitor to remedy it before he wrote that note? We did not hear anything in this connection. I say, Sir, that under these circumstances the remark that these universities are not functioning properly and therefore there should be no further advance is unjust and unfair. Referring to local bodies it is said that in and about 1921-22 the revenue fell short of the expenditure. This coming from a Government which has been working at a deficit of about a crore a year for about four years because of financial depression sounds so curious. We have had days of unusual financial stress and if these local bodies with their limited resources were not able to keep their expenditure within their income it is hardly surprising. If you will look at the administration report for 1923-24 you will find that the situation has improved altogether and that the revenue did actually exceed the expenditure.

Besides, there are other factors which must always be borne in mind. Efficiency in this case does not depend on red tape. All the Government resolutions published from the time of Lord Ripon, and even Lord Mayo have clearly said as much and even more. But is it or is it not a fact that since these representative bodies were placed on a popular basis people have begun to regard them as their own, that they have come to realise that they are not part of Government machine but that they represent the people as such, that the taxes that are given for local bodies are not meant for the Provincial of Imperial Exchequer but for local services. Has there not been any growth of political consciousness? Do or do not the inhabitants of towns and cities hold their representatives in the boards responsible for local matters in place of the local officers as well as the case up to 1916? Moreover, has it not always been held to be the case that wherever there is transfer of power from the permanent services to the representatives of the people, this red tape will suffer, but life will be introduced.

The Hon'ble the President: The honourable member will bring his remarks to a close soon.

Pandit Gobind Ballabh Pant: Then, Sir, His Excellency has also referred to opposition to the Indian Medical Service and the Indian Subordinate Medical department. Well, did that opposition begin with the era of reforms or was it there even before that period? How many resolutions of this type were moved in the pre-Reform days; and what does it after all disclose? Take the Indian Subordinate Medical department. After three years' service people were recruited in the department on a much higher salary than that given to Indian assistant surgeons of much

superior qualifications and training—similarly the system of recruitment to civil medical services is and was open to serious objection--was this opposition inequitable or unjust? After all, it must be remembered that whenever we ask for representative Government for the introduction of Indian element, we want certainly Indianisation of the services, we want certainly to rehabilitate our own position, we want that we should attain our national manhood, we want to get our national dignity respected. Invidious distinctions must vanish and close and iniquitous monopolies should be exposed. If these things are not means to be reached thereby, then there is no use in having in name responsible Government, which does not mean anything in reality.

Then His Excellency has referred to forests. I may say generally what has been demonstrated conclusively is that the reserved departments have failed and that the transferred departments have got on much better. Just compare the attitude of the Minister towards Dr. Lubeek's affair as contrasted with the Government's attitude in the matter of the Tundla rape case offenders. So far as the forests are concerned, there has never been any opposition to the eastern or western circle, and these are the circles which yield the revenue. The opposition was directed against the Kumaun circle and the utilisation circle. What do you find there? After spending Rs. 95 lakhs over the utilisation circle the Government have realised and accepted their mistake candidly and have abandoned the foolish enterprise; and having spent lakhs of rupees on the settlement of the Kumaun circle Government now admits that it made a serious mistake and that the policy of 1911-17 was unwise and foolish. And having made a mistake and having accepted that mistake, it does not lie in the mouth of the Government to say that the people were wrong there. This demonstrates once more that wherever the Government and people have held divergent views time has invariably vindicated the wisdom of the latter.

Speaking of retrenchment in the reserved departments, all the retrenchment that was made was made at the instance of the official committee, in which the officials were fully represented, and even the reductions in the Police department were made at the instance of the Police Committee which was dominated by Government members. So in the face of these things to blame the non-officials is absolutely unfair. Has not experience shown that there was room for economy and it was rightly made? Does it not further show that large sums of money were wasted in reserved departments for years? As to the Finance department's attitude towards the reserved and transferred departments I gave figures during the budget discussion and I have no time now.

In the end I will make one submission, Sir, and it is this. Too late is writ large in the history of this country, and all this bitterness has resulted because Government shadowed and eclipsed by the Bureaucracy has failed to take notice of the omens betimes and had stupidly opposed popular wishes till the very last. It is time for them to reconsider their position. After all, this calm should not mislead them. Now, we have reached a situation in the country when the limit to tolerance has been reached, if not outstripped and it must think seriously before flouting public opinion now. The Rowlatt Act was never put into force; it had to be withdrawn; yet it roused the great storm of

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controversy, and looking at the various acts of the executive you will find that in course of time the Government has followed on the heels of popular opinion, it was forced in the end to accept its soundness and correctness. In this case think before it is too late and save India and save England, and put an end to the bitterness and animosity which will otherwise lead to the doom of both countries. There are breakers ahead and if you will cling to your discredited oars, the barge will be foundered and disaster will follow. After all, you have to restore to us what is ours, then why not do so in good grace and good time?

Dr. Ganesh Prasad : It is a source of great pleasure to me that all those honourable colleagues of mine who have spoken on this resolution have accorded their unqualified support to it. In these circumstances the wisest course for me would be to resume my seat after making only a few remarks. A number of side-issues have been introduced and I am not inclined to be drawn into any discussion of all those issues. But I feel tempted to say a few words about two of them. First of all, my esteemed friend and old classmate, Dr. Zia-uddin Ahmad, said something about the Hindu-Muslim question. Now I find myself in a very delicate position. I represent a constituency in which I have the confidence of both Hindus and Muhammadans. I will say only this, that I am whole-heartedly in favour of any scheme that may be considered reasonable and just for safeguarding the interests of the Muslim community. Dr. Shafa'at Ahmad Khan was good enough to say that the question of minorities has been solved satisfactorily in a number of countries which received much accession to their territories on account of the peace after the great war. If he thinks that to solve the Hindu-Muslim question one should proceed as in Italy, Poland or Yugo-Slavia the Muslims will rightly say: "Save us from our friends." I have got here the "Statesman's year book." From that it will be seen that there are 435 members in the House of Commons of Italy and the German and slave population which forms more than three per cent. of the total population receives representation by only eight members out of 435, i.e., by less than two per cent of seats. Similar is the case in Yugo-Slavia and Poland. It is obvious that if we take as our models Italy, Yugo-Slavia and Poland, I do not think that the Muslim population here will be really pleased with the kind of solution suggested by those countries.

There is another matter on which I wish to make a few remarks but here again my position is very delicate. I am very sorry to say that I am not prepared to withdraw one single word that I uttered day before yesterday with reference to my very esteemed friends the Indian members in the Government. Rao Abdul Hamid Khan attributed to me the statement that the landlords are not educated. I never made that statement. In fact you have only to look at our landlord colleagues here to find that they are extremely courteous and amiable gentlemen. I made my position very clear, and if you will permit me, Sir, I will read a few sentences of my speech on moving the resolution. I said: "I come now to the question of provincial autonomy and the Central Government. My friends, the two Ministers in these Provinces, have been good enough to bless the demand made by the public for provincial

autonomy but for a consideration. They want that either the representation of the landlords, which is already very high, should be increased still more or there should be a second chamber, naturally full of landlords. The question is, what is going to come out of this demand if it is conceded? Suppose for a minute that we have four gentlemen in the Government instead of three as there are at present, who belong to the landlord class. I have not the least wish to say anything which might be offensive to my Indian friends here in the Government, but I ask them: "Have they been able to realise that they have practically produced no impression on the Government, although they form a majority in the Government being three out of five?" In order to leave no doubt in any body's mind about my meaning I stated that habits of industry and such intellects as would enable the Indian members of Government to make themselves felt effectively by Indian Civil Service Secretaries and heads of departments were necessary. I then gave the example of Sir Asutosh Mukerjee who would have made a real Minister or Executive Councillor but whom the Government fought shy of for that very reason. These remarks are no doubt a bit unpleasant, but truth is always unpleasant. And in the past too I had to be on more occasions than one in the position of a man who had to utter in this House what he considered to be the barest truth. As I said before and I say it today, I have no axe of my own to grind. I am here as an independent. I may also say that I represent here probably the most educated and the most learned constituency in these Provinces. My friend Raja Jagannath Bakhsh Singh said certain things about the success of the landlord Ministry which he professes to have demonstrated. But beyond an assertion he said nothing in support. I do not wish to embitter feelings in this matter and leave it there.

For saying unpleasant things I sincerely apologize to all the three Indian members in the Government as I did on the 1st instant but I do not withdraw one iota of what I uttered on that day.

The amendment was put and carried.

The resolution as amended was then put and adopted.

ELECTION TO THE COURT OF THE ALLAHABAD UNIVERSITY.

The Hon'ble the President: The result of the election held this morning for the four seats on the Court of the Allahabad University is —

Mr. Sangam Lal.

Babu Mohan Lal Saxena.

Khan Bahadur Maulvi Fasih-ud-din.

Lala Mathura Prasad Mehrotra.

The Hon'ble the President: In accordance with His Excellency's command the Council is prorogued.

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